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SALUS POPULI SUPREMA LEX ESTO

"The welfare of the people shall be the supreme law."



JASON KANDER
SECRETARY OF STATE

MISSOURI REGISTER

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IN THIS ISSUE:

PROPOSED RULES

Department of Natural Resources	
Division of Geology and Land Survey	.283
Department of Revenue	
Director of Revenue	.284
Department of Insurance, Financial Institutions and Professional Registration	
Board of Examiners for Hearing Instrument Specialists	.290
State Board of Nursing	.293
State Board of Pharmacy	.315
Missouri Veterinary Medical Board	.368

SOURCE GUIDES

RULE CHANGES SINCE UPDATE	.406
EMERGENCY RULES IN EFFECT	.410
EXECUTIVE ORDERS	.412
REGISTER INDEX	.413

ORDERS OF RULEMAKING

Department of Elementary and Secondary Education	
Division of Learning Services	.370
Department of Public Safety	
Missouri Gaming Commission	.375
Retirement Systems	
The County Employees' Retirement Fund	.379

CONSTRUCTION TRANSIENT LIST .381

CONTRACTOR DEBARMENT LIST .399

DISSOLUTIONS .400

Register Filing Deadlines	Register Publication Date	Code Publication Date	Code Effective Date
October 1, 2012	November 1, 2012	November 30, 2012	December 30, 2012
October 15, 2012	November 15, 2012	November 30, 2012	December 30, 2012
November 1, 2012	December 3, 2012	December 31, 2012	January 30, 2013
November 15, 2012	December 17, 2012	December 31, 2012	January 30, 2013
December 3, 2012	January 2, 2013	January 29, 2013	February 28, 2013
December 17, 2012	January 15, 2013	January 29, 2013	February 28, 2013
January 2, 2013	February 1, 2013	February 28, 2013	March 30, 2013
January 15, 2013	February 15, 2013	February 28, 2013	March 30, 2013
February 1, 2013	March 1, 2013	March 31, 2013	April 30, 2013
February 15, 2013	March 15, 2013	March 31, 2013	April 30, 2013
March 1, 2013	April 1, 2013	April 30, 2013	May 30, 2013
March 15, 2013	April 15, 2013	April 30, 2013	May 30, 2013
April 1, 2013	May 1, 2013	May 31, 2013	June 30, 2013
April 15, 2013	May 15, 2013	May 31, 2013	June 30, 2013
May 1, 2013	June 3, 2013	June 30, 2013	July 30, 2013
May 15, 2013	June 17, 2013	June 30, 2013	July 30, 2013
June 3, 2013	July 1, 2013	July 31, 2013	August 30, 2013
June 17, 2013	July 15, 2013	July 31, 2013	August 30, 2013
July 1, 2013	August 1, 2013	August 31, 2013	September 30, 2013
July 15, 2013	August 15, 2013	August 31, 2013	September 30, 2013

Documents will be accepted for filing on all regular workdays from 8:00 a.m. until 5:00 p.m. We encourage early filings to facilitate the timely publication of the *Missouri Register*. Orders of Rulemaking appearing in the *Missouri Register* will be published in the *Code of State Regulations* and become effective as listed in the chart above. Advance notice of large volume filings will facilitate their timely publication. We reserve the right to change the schedule due to special circumstances. Please check the latest publication to verify that no changes have been made in this schedule. To review the entire year's schedule, please check out the website at <http://www.sos.mo.gov/adrules/pubsched.asp>

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HOW TO CITE RULES AND RSMo

RULES—Cite material in the *Missouri Register* by volume and page number, for example, Vol. 28, *Missouri Register*, page 27. The approved short form of citation is 28 MoReg 27.

The rules are codified in the *Code of State Regulations* in this system—

Title	Code of State Regulations	Division	Chapter	Rule
1	CSR	10-	1.	010
Department		Agency, Division	General area regulated	Specific area regulated

They are properly cited by using the full citation , i.e., 1 CSR 10-1.010.

Each department of state government is assigned a title. Each agency or division within the department is assigned a division number. The agency then groups its rules into general subject matter areas called chapters and specific areas called rules. Within a rule, the first breakdown is called a section and is designated as (1). Subsection is (A) with further breakdown into paragraph 1., subparagraph A., part (I), subpart (a), item I. and subitem a.

RSMo—The most recent version of the statute containing the section number and the date.

Under this heading will appear the text of proposed rules and changes. The notice of proposed rulemaking is required to contain an explanation of any new rule or any change in an existing rule and the reasons therefor. This is set out in the Purpose section with each rule. Also required is a citation to the legal authority to make rules. This appears following the text of the rule, after the word "Authority."

Entirely new rules are printed without any special symbolology under the heading of proposed rule. If an existing rule is to be amended or rescinded, it will have a heading of proposed amendment or proposed rescission. Rules which are proposed to be amended will have new matter printed in boldface type and matter to be deleted placed in brackets.

An important function of the *Missouri Register* is to solicit and encourage public participation in the rulemaking process. The law provides that for every proposed rule, amendment, or rescission there must be a notice that anyone may comment on the proposed action. This comment may take different forms.

If an agency is required by statute to hold a public hearing before making any new rules, then a Notice of Public Hearing will appear following the text of the rule. Hearing dates must be at least thirty (30) days after publication of the notice in the *Missouri Register*. If no hearing is planned or required, the agency must give a Notice to Submit Comments. This allows anyone to file statements in support of or in opposition to the proposed action with the agency within a specified time, no less than thirty (30) days after publication of the notice in the *Missouri Register*.

An agency may hold a public hearing on a rule even though not required by law to hold one. If an agency allows comments to be received following the hearing date, the close of comments date will be used as the beginning day in the ninety- (90-) day-count necessary for the filing of the order of rulemaking.

If an agency decides to hold a public hearing after planning not to, it must withdraw the earlier notice and file a new notice of proposed rulemaking and schedule a hearing for a date not less than thirty (30) days from the date of publication of the new notice.

Proposed Amendment Text Reminder:

Boldface text indicates new matter.

[Bracketed text indicates matter being deleted.]

Title 10—DEPARTMENT OF NATURAL RESOURCES Division 23—Division of Geology and Land Survey Chapter 1—Definitions and Organizational Structure

PROPOSED AMENDMENT

10 CSR 23-1.075 Disciplinary Action and Appeal Procedures. The division is amending sections (1) through (6).

PURPOSE: This amendment clarifies the procedure for any person who is affected by a decision of the division to file an appeal with the Well Installation Board.

PURPOSE: This rule outlines the procedures the division and board will take when a [permittee] person is affected by disciplinary actions and contested case appeals of such disciplinary actions.

(1) Definitions. As used in this rule, the following terms mean:

(C) Division—The Department of Natural Resources' Division of Geology and Land Survey, which includes the director thereof, or the person within the division delegated the authority to render the decision, order, determination, finding, or other action that is subject to review by the board;

[(C)](D) Hearing—Any presentation to, or consideration by, the board or its hearing officer[,/] of evidence or argument on a petition seeking the board's review of an action by the department;

[(D)](E) Hearing officer—[Administrative Hearing Commission] an attorney appointed by the board to conduct an administrative hearing on behalf of the board;

[(E)](F) Person—An individual, partnership, copartnership, firm, company, public or private corporation, association, joint stock company, trust, estate, political subdivision, or any agency, board, department, or bureau of the state or federal government or any other legal entity whatever, which is recognized by law as the subject of rights and duties.

(2) The division [may] shall cause [an] investigations to be made as appropriate in response to requests from the board or upon receipt of other information concerning alleged violations of the Water Well Driller's Act in order to determine whether there has been any violation of the law or of these rules and, in doing so, may request the permittee, well owner, or other individuals to appear before them to determine the merits of the situation in question. If requested individuals do not appear before the division, a determination [will] may be made based on the available information or the division may order a permitted well driller to appear before the division and/or produce relevant documentation. Any person who willfully obstructs, hinders, or prevents agents of the division in the performance of the duties imposed on them by sections 256.600–256.640, RSMo, is guilty of a class A misdemeanor and may be liable for civil and criminal penalties as set out in section 256.637, RSMo. If the division determines that the holder of any permit issued according to sections 256.600–256.640, RSMo, has violated any provision of this law or any rule adopted according to this law, the division shall reprimand, place a permit holder on probation, or suspend or revoke a permit[,], and may [For minor violations, the division will] issue a [reprimand or a] notice of violation[,/] describing the remediation required and the time period allowed to remedy the violation and/or pursue any additional remedy authorized by the Water Well Driller's Act.

(3) As a condition of any order, the division [will] may specify and schedule any remediation required[, and will] so that division staff can be present, if deemed necessary, while the remediation is performed. The division shall issue and serve on the permittee, [a] written notice of [the] any order issued under sections 256.600–256.640, RSMo, as provided in section 256.630, RSMo. [The order shall specify the particular part of sections 256.600–256.640, RSMo or particular rule of which the permittee is alleged to be in violation and a statement explaining the alleged violation. The order must be sent registered or certified mail, return receipt requested.]

(4) Filing an Appeal or Requesting a Hearing.

(A) Any person adversely affected or aggrieved by a decision of the [department] division or otherwise entitled to ask the board for a hearing under the Water Well Driller's Act may appeal [to have the matter heard] by filing a petition with the [Administrative Hearing Commission,] board or the division within thirty (30) days after [the date] receiving notice of the decision. [was mailed or the date it was delivered, whichever date was earlier.]

(B) A petition sent by registered mail or certified mail will be deemed filed on the date it is mailed. [If it is sent by any method other than registered mail or certified mail, it will be deemed

filed on the date it is received by the Administrative Hearing Commission.] If it is sent by any method other than registered mail or certified mail, it will be deemed filed on the date it is received by the board or the division. Such appeal shall stay the enforcement of the order until a final determination is made by the board.

(5) Procedures.

(A) *[The hearing shall be conducted in accordance with the provisions of Chapter 536, RSMo, and the regulations of the Administrative Hearing Commission promulgated thereunder.] The board may appoint a hearing officer, who shall provide a recommended decision to the board based on a hearing, stipulations or agreements by the parties, disposition in the nature of a default judgment, judgment on the pleadings, or summary determination, in accordance with the Water Well Driller's Act and Chapter 536, RSMo. The board or the hearing officer shall provide the parties at least thirty (30) days advance notice of any hearing.*

1. At any such hearing, all testimony taken before the board or its hearing officer shall be under oath and recorded stenographically, and the transcript shall be available to any person for the cost of reproduction, pursuant to section 256.630.4, RSMo.

(B) Upon receipt of the hearing officer's recommendation and the record in the case, the board shall—

1. Distribute the hearing officer's recommendation to the parties or their counsel;

2. Allow the parties or their counsel an opportunity to submit written arguments regarding the recommendation;

3. Allow the parties or their counsel an opportunity to present oral arguments before the board makes the final determination;

4. Complete its review of the record and deliberations as soon as practicable;

5. Deliberate and vote upon a final, written determination during an open meeting, except that the board may confer with its counsel in closed session with respect to legal questions;

6. Issue its final, written determination as soon as practicable, including findings of fact and conclusions of law, **and so notify the parties.** The decision of the board shall be based only on the facts and evidence in the record; and

7. The board may adopt the recommended decision of the hearing officer as its final decision. The board may change a finding of fact or conclusion of law made by the hearing officer, or may vacate or modify the recommended decision, only if the board states in writing the specific reason for a change.

(6) *[All] Such final orders and determinations of the board [or the division made according to sections 256.600–256.640, RSMo] are subject to judicial review according to [the provisions of section 536.100, RSMo. Any person who has exhausted all administrative remedies provided by Chapter 536, RSMo and who is aggrieved by a final decision in a contested case, whether the decision is affirmative or negative in form, shall be entitled to judicial review in the form of a trial de novo in the circuit court of the county where the alleged impropriety occurred.] section 256.630.4, RSMo.*

AUTHORITY: sections 256.600, 256.623, 256.626, and 256.630, RSMo 2000. Emergency rule file Nov. 16, 1993, effective Dec. 11, 1993, expired April 9, 1994. Original rule filed Aug. 17, 1993, effective March 10, 1994. Amended: Filed Nov. 1, 1995, effective June 30, 1996. Amended: Filed Sept. 14, 2006, effective March 30, 2007. Amended: Filed Jan. 11, 2013.

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the Department of Natural Resources, Division of Geology & Land Survey, Sheri Fry, PO Box 250, Rolla, MO 65402 or via email at sheri.fry@dnr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

Title 12—DEPARTMENT OF REVENUE

Division 10—Director of Revenue

Chapter 41—General Tax Provisions

PROPOSED RULE

12 CSR 10-41.025 Disclosure of Confidential Taxpayer Information to Officers, Members, Partners, and Employees of a Business

PURPOSE: *Businesses often communicate with the Missouri Department of Revenue through officers, members, partners, or employees. This rule establishes a simplified process for documenting such persons' authority to communicate with the department on behalf of a business about confidential tax matters, when a power of attorney is not necessary.*

(1) The director of revenue or other designated official of the Missouri Department of Revenue may disclose all tax information relating to a particular taxpayer's return to an officer, member, or partner of the business, related to any period for which the officer, member, or partner is registered with the Department of Revenue.

(2) The director of revenue or other designated official of the Missouri Department of Revenue may disclose all tax information to any employee with job duties that include, but are not limited to, the following:

(A) Responsibility for answering correspondence dealing with state tax matters;

(B) Responsibility for answering verbal requests from a tax authority dealing with state tax matters;

(C) Responsibility for reviewing state tax matters and submitting requested information to a tax authority; or

(D) Responsibility for preparing tax documents (but not necessarily responsibility for signing such documents) to be filed with a tax authority.

(3) Before the director of revenue or other designated official of the Missouri Department of Revenue may release any confidential tax information, the business must provide the department a document stating that the employee has the authority to perform the above job duties as regular course of work on tax matters and that the information requested is strictly to be used for state tax matters, unless otherwise restricted. The document shall be on company letterhead with the company's address and phone number and must be signed by an officer, member, or partner of the company, or by the supervisor of the employee.

(A) If the employee's authority is limited, the letter shall specify the tax periods, tax types, or tax forms that may be released to the employee.

(B) If the employee's authority shall be for a limited time, the letter shall specify the time limitation on the employee's authority.

(C) If the letter does not include any limitation, the director of revenue or other designated official of the Missouri Department of Revenue may disclose all information without limitation until such time as the company revokes or limits the employee's authority in

writing.

AUTHORITY: section 32.057.2.(1)(a), RSMo Supp. 2012. Original rule filed Jan. 15, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 12—DEPARTMENT OF REVENUE
Division 10—Director of Revenue
Chapter 41—General Tax Provisions**

PROPOSED AMENDMENT

12 CSR 10-41.030 Power of Attorney. The director proposes to amend the purpose and sections (2) through (4) and (6) through (9).

PURPOSE: This proposed amendment is necessary to clarify various provisions of the rule and to establish the potential for an exception to the power of attorney requirement.

PURPOSE: This rule provides guidance as to when a power of attorney is required to be provided by the taxpayer to allow disclosure of confidential Missouri tax information about the taxpayer to [his/her] the taxpayer's authorized representative.

(2) **Except as otherwise provided by regulation,** //in order for a third party to qualify as a duly authorized representative, the taxpayer must execute and file with the Department of Revenue a power of attorney designating the third party as taxpayer's duly authorized representative. [Power of Attorney/Disclosure of Information forms are available upon request from the Department of Revenue.

(A) A duly authorized representative may be a person currently employed by the taxpayer with job duties that include but are not limited to the following:

1. Responsible for answering correspondence dealing with state tax matters in a confidential manner;
2. Responsible for answering verbal communication requests from a tax authority dealing with state tax matters;
3. Responsible for reviewing state tax matters and submitting requested information from a tax authority; and
4. Responsible for preparing tax documents (but not necessarily responsible for signing such documents) to be filed with a tax authority;

(B) The person must submit a letter, upon request by the tax authority, that s/he has the authority to perform the above job duties as his/her regular course of work on tax matters and that the information requested is strictly to be used only for the purpose of determining the taxpayer's accurate tax calculation or to determine the amount of tax payments actually submitted by the taxpayer. Such document shall be on company letterhead with the company's address and phone number.

(C) State tax matters include all taxes and fees administered by the Department of Revenue.]

(3) [Third party includes the] **A duly authorized representative may include, but is not limited to, a person currently employed by the taxpayer, a tax return preparer, a certified public accountant [and], or an attorney.**

(4) The power of attorney must be executed as follows:

(C) Partnership. In the case of a partnership, by all members or by one (1) of the partners duly authorized to act for the partnership who shall certify that [s/he] **the partner** has authority;

(D) Corporation. In the case of a corporation, by an officer of the corporation having authority to bind the corporation[,/] who shall certify that [s/he] **the officer** has authority;

(E) [Estate] **Limited Liability Company**. In the case of [an estate] **a limited liability company**, by [any personal representative] **all members or by one (1) duly authorized to act for the limited liability company** who shall [provide evidence of his/her status as a personal representative with regard to Missouri estate taxes;] **certify that the member has authority;**

(G) Trustee Under Agreement or Declaration. In the case of a taxpayer who has appointed a trustee, by the trustee. If there is more than one (1) trustee appointed, all should join unless it is shown that less than all have authority to act. Department of Revenue officials may require the submission of documentary evidence of the authority of the trustee to act. Evidence may be either a copy of the trust instrument, properly certified, or certified copies of contracts from the trust instruments showing—

1. The date of the instrument;
2. That it is or is not of record in any court;
3. The beneficiaries;
4. The appointment of the trustee, the authority granted and other information as may be necessary to show that authority extends to Missouri tax matters; and
5. That the trust has not been terminated and the trustee appointed in the trust is still acting. In the event that the trustee appointed in the original trust instrument is no longer acting and has been replaced by another trustee, documentary evidence of the appointment of the new trustee should be submitted;

(H) Dissolved Partnership. In the case of a dissolved partnership, by each of the former partners, or by one (1) of the partners duly authorized to act for the partnership, who shall provide evidence of their authority to act. If one (1) or more of the partners are dead, their legal representatives must sign in their stead (see subsection [(4)(K)] **(4)(L)** of this rule), unless, under the laws of the particular state, the surviving partners, at the time of execution of the power of attorney or tax information authorization, have exclusive right to control and possession of the firm's assets for the purpose of winding up its affairs, in which case their signatures alone will be sufficient. If only the surviving partners sign the power of attorney, Department of Revenue officials may require the submission of a copy of, or a citation to the pertinent provisions of, the state law under which the surviving partners claim authority without legal representatives of the deceased partners;

(I) Dissolved Corporation. In the case of a dissolved corporation, by the liquidating trustee(s) under dissolution, if one (1) or more have been appointed, or by a trustee deriving authority under a statute of the state in which the corporation was organized. If there is more than one (1) trustee, all must join unless it is established that less than all have authority to act in the matter under consideration. Department of Revenue officials may require the submission of a properly authenticated copy of the instrument under which the trustee derives [his/her] **the trustee's** authority. If the trustee's authority is derived under a state statute, Department of Revenue officials may require the submission of a copy of or a citation to the pertinent provisions of the statute, together with a statement made under penalties of perjury setting forth the facts required by the statute as a condition precedent to the vesting of authority in the trustee and stating that in the case of any trustee, [his/her] **the trustee's** authority has not been terminated. If there is no trustee, the

power of attorney must be signed by a sufficient number of individuals to constitute a majority of the voting stock of the corporation as of the date of dissolution. Department of Revenue officials may require submission of a statement showing the total number of outstanding shares of voting stock as of the date of dissolution, the number of shares held by each signatory to the power of attorney, the date of dissolution and positive averments as to the nonexistence of any trustee;

(J) **Insolvent Taxpayer.** In the case of an insolvent taxpayer, by the trustee, receiver or attorney appointed by the court. Department of Revenue officials may require the submission of a certificate from the court having jurisdiction over the insolvent showing the appointment and qualification of the trustee, receiver, or attorney and that *[his/her]* authority of the appointed individual has not been terminated. In cases pending before a district court of the United States, an authenticated copy of the order approving the bond of the trustee, receiver, or attorney will meet this requirement; *[and]*

(K) **[Deceased Taxpayers] Estate.** In the case of *[a deceased taxpayer]* an estate, by *[the]* any conservator or personal representative *[if one (1) has been appointed and is acting and responsible for disposition]*, who shall provide evidence of *[the matter under consideration]* status as a conservator or personal representative. Department of Revenue officials may require the submission of authenticated copies of letters testamentary or letters of administration showing that the authority of the *[executor]* personal representative or *[administrator]* conservator is in full force and effect at the time the power of attorney is submitted*[/]; and*

(L) **Deceased Taxpayers.** In the *[event that]* case of a *[trustee under the will]* deceased taxpayer, by the personal representative of a probate estate if one has been appointed and is acting*[/]*, the power of attorney should be executed by the trustee, unless the personal representative has not been discharged and is*[/]* and responsible for disposition of the matter pending with the department. *[Department of Revenue officials may require the submission of evidence of the discharge of the personal representative and appointment of the trustee, or other appropriate evidence of the authority of the trustee to act.]* If no personal representative *[or trustee under the will]* is acting or responsible for disposition of the matter *[and]*, or the estate has been distributed to the residuary legatee(s), the power of attorney should be executed by the *[residuary legatee(s)]* individual appointed to handle the affairs of the deceased in a will. Department of Revenue officials may require the submission of a statement from the court certifying that no personal representative or trustee under the will is acting or responsible for disposition of the matter*[/]* and *[naming the residuary legatees and indicating the proper share to which each is entitled]* copies of the will. In the event that the decedent died intestate and the personal representative has been discharged and is not responsible for disposition of the matter, or none was ever appointed, the power of attorney must be executed by the distributees. Department of Revenue officials may require the submission of evidence of the discharge of the personal representative if one had been appointed and evidence that the personal representative is not responsible for disposition of the matter and statements made under penalties of perjury and other appropriate evidence as can be produced tending to show the relationship to the deceased of the signatories to the power of attorney and the right of each of them to the respective shares claimed under the law of the domicile of the deceased.

(6) *[A power of attorney is necessary in the following situations]* Instances a power of attorney is required include, but are not limited to:

(B) When the taxpayer protests an assessment to the director of revenue and is to be represented by someone other than *[him/her-self]* the taxpayer; and

(7) If an individual taxpayer has executed a durable power of attor-

ney, it is not necessary that the taxpayer execute any other power of attorney if the durable power of attorney specifies that the power of attorney has the authority to act on tax matters and the power to receive confidential tax information. The duly authorized representative *[should]* must submit a copy of the durable power of attorney to the department with *[his/her]* the representative's request for confidential information. If the power of attorney document does not provide sufficient information for the Department of Revenue to determine the identity of the taxpayer, then the Department of Revenue may request a form prescribed by the director.

(8) If the taxpayer executes a second power of attorney, the taxpayer shall specify whether *[T]*the execution of a second power of attorney *[by the taxpayer for the same period as a previously filed power of attorney form]* revokes the prior named representative's authority *[unless otherwise indicated by the taxpayer]*. The taxpayer may revoke a power of attorney granted to a representative without authorizing a new representative. *[Upon revocation of a power of attorney when no new power of attorney is executed, the taxpayer must send a signed statement to the Department of Revenue listing the names and addresses of the representative(s) whose authority is revoked.]*

(9) If the mailing address a taxpayer has furnished the Department of Revenue is the mailing address of a third party (for example, John Doe, c/o Jane Smith, C.P.A.), the Department of Revenue will treat this as a release of confidential tax information to the named third party. As a result all tax information, returns, reports, billing notices, and deficiencies will be forwarded to the taxpayer*[/]* using the address as supplied by the taxpayer for that specific tax. Submission of a power of attorney form by a taxpayer will not in itself suffice as an official notification of mailing address change with the department.

AUTHORITY: section 32.057.2(1)(a), RSMo [2000] Supp. 2012. Original rule filed June 17, 1986, effective Nov. 28, 1986. Amended: Filed May 12, 1987, effective Aug. 27, 1987. Amended: Filed June 15, 1998, effective Dec. 30, 1998. Amended: Filed Jan. 10, 2002, effective July 30, 2002. Amended: Filed Jan. 15, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 12—DEPARTMENT OF REVENUE Division 10—Director of Revenue Chapter 104—Sales/Use Tax—Registration

PROPOSED AMENDMENT

12 CSR 10-104.030 Filing Requirements. The director proposes to amend paragraphs (3)(B)2. and (3)(B)3.

PURPOSE: This proposed amendment modifies the filing frequency threshold amounts.

(3) Basic Application.

(B) The taxpayer's filing frequency is determined by the amount of state sales tax collected by the taxpayer for all business locations during the previous calendar year. The filing frequency of a new business is based on the estimated taxable sales for the first year of operation. Local, conservation, or parks and soils taxes are not considered in determining filing frequency.

1. If state tax collections equal or exceed five hundred dollars (\$500) per calendar month, the taxpayer must file and remit taxes on a monthly basis.

2. If state tax collections are less than five hundred dollars (\$500) per calendar month but equal or exceed *[forty-five] one hundred* dollars (*/\$45/ \$100*) in a calendar quarter~~[/]~~, the taxpayer must file and remit taxes on a quarterly basis.

3. If state tax collections are less than *[forty-five] one hundred* dollars (*/\$45/ \$100*) per quarter, the taxpayer must file and remit taxes on an annual basis.

AUTHORITY: sections 144.270, RSMo Supp. 2012, and section 144.705, RSMo [1994] 2000. Original rule filed June 29, 2000, effective Dec. 30, 2000. Amended: Filed Jan. 15, 2013.

PUBLIC COST: This proposed amendment is estimated to save the Missouri Department of Revenue approximately one hundred thirty eight thousand seven hundred seventy-eight dollars (\$138,778) with that cost recurring annually over the life of the rule.

PRIVATE COST: This proposed amendment is estimated to save private entities approximately four hundred thirty-two thousand three hundred thirty dollars (\$432,330) with that cost recurring annually over the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Department of Revenue, Legal Services Division, PO Box 475, Jefferson City, MO 65105-0475. To be considered comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**FISCAL NOTE
PUBLIC COST****I. RULE NUMBER**

Rule Number and Name:	12 CSR 10-104.030 Filing Requirements
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimate Cost of Compliance in the Aggregate.
Missouri Department of Revenue	\$138,778 (savings)

III. WORKSHEET

By changing filing frequency thresholds, the Department of Revenue (DOR) estimates that 11,720 filers will be able to file fewer sales tax returns, and will result in the filing of 43,233 fewer returns. It costs the DOR \$2.73 to process a typical sales tax return. The DOR expects to save \$118,026.09 (43,233 returns X \$2.73) in processing costs. In addition, the DOR's costs to print and mail sales tax returns are \$.48 per return. Therefore, the DOR also estimates annual savings to print and mail these returns of \$20,751.84 (43,233 returns X \$.48). The total annual savings for the DOR would be \$138,777.93.

IV. ASSUMPTIONS

Changing the filing frequency will not change the amount of sales tax collected, simply change the timing of receipt of collections from the estimated 11,720 filers.

**FISCAL NOTE
PRIVATE COST**

I. RULE NUMBER

Rule Number and Name:	12 CSR 10-104.030 Filing Requirements
Type of Rulemaking:	Proposed Amendment

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by adoption of the proposed rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
11,720	Vendors	\$432,330 (Savings)

III. WORKSHEET

The Department of Revenue expects to require 43,233 fewer sales tax returns per year from approximately 11,720 sales tax filers. The estimated cost to prepare and file a return per business is \$10 per filed return. These filers will save \$432,330 (43,233 X \$10).

IV. ASSUMPTIONS

The estimated cost to prepare and file a return includes costs for postage, paper, envelopes, and other preparation expenses.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2165—Board of Examiners for Hearing
Instrument Specialists
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2165-2.025 Application Procedures. The board is proposing to add section (5).

PURPOSE: This amendment sets a time period of three (3) years to complete the application process.

(5) Applications for licensure are valid for a period of three (3) years from the date the application is received in the board's office. If an applicant has not completed the application process within the three- (3-) year period, the applicant will be denied and must complete a new application for licensure, submit all required documentation, and pay all applicable fees. If an applicant must reapply for licensure, all current licensure requirements must be met.

AUTHORITY: sections 346.050, 346.055, [and] 346.115, [RSMo 2000] and [section] 346.125, RSMo Supp. [2008] 2012. Original rule filed Sept. 8, 2008, effective March 30, 2009. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will cost state agencies or political subdivisions between fifty-seven dollars and ninety-three cents (\$57.93) and sixty-two dollars and fifty-one cents (\$62.51) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE COST: This proposed amendment will cost private entities approximately one thousand six hundred fifty-nine dollars (\$1,659) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2265 -Board of Examiners for Hearing Instrument Specialists

Chapter 2 - Licensure Requirements

Proposed Rule - 20 CSR 2165-2.025 Application Procedures

Prepared January 4, 2013 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Affected Agency or Political Subdivision	Estimated Cost of Compliance
Board of Examiners for Hearing Instrument Specialists	\$57.93 to \$62.51
	Total Annual Cost of Compliance for the Life of the Rule \$57.93 to \$62.51

III. WORKSHEET

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE	HOURLY SALARY	COST PER MINUTE	TIME PER APPLICATION	COST PER APPLICATION	NUMBER OF ITEMS	TOTAL COST
Administrative Office Support Assistant	\$25,944 to \$28,140	\$39,282 to \$42,607	\$18.89 to \$20.48	\$0.31 to \$0.34	15 minutes	\$4.72 to \$5.12	3	\$14.16 to \$15.36
Licensing Technician II	\$24,576 to \$26,640	\$37,211 to \$40,336	\$17.89 to \$19.39	\$0.30 to \$0.32	45 minutes	\$13.42 to \$14.54	3	\$40.25 to \$43.63
								\$54.42 to \$59.00
							Total Personal Service Costs	\$59.00

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Correspondence Mailing	\$0.45	3	\$1.35
License Printing and Postage	\$0.72	3	\$2.16
Total Expense and Equipment Costs			\$3.51

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 51.41% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of applications. The total cost was based on the cost per application multiplied by the estimated number of applications.
2. The board anticipates three applicants to reapply for licensure. It is anticipated three applicants will request the board office mail an application packet to them as the applications will be made available on the website.
3. It is anticipated that the total costs will recur for the life of the rule, may vary with inflation and are expected to increase at the rate projected by the Legislative Oversight Committee.

PRIVATE ENTITY FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2165 - Board of Examiners for Hearing Instrument Specialists****Chapter 2 - Licensure Requirements****Proposed Rule - 20 CSR 2165-2.025 Application Procedures**

Prepared January 4, 2013 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT**Annual Cost of Compliance for the Life of the Rule**

Estimate the number of entities by class which would likely be affected by the adoption of the proposed rule:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the rule by affected entities:
3	Hearing Instrument Specialists Applicants (License by Exam Written Fee of \$375)	\$1,125
3	Hearing Instrument Specialists Applicants (License by Exam Practical Fee of \$150)	\$450
3	Hearing Instrument Specialists Applicants (Transcript of \$10)	\$30
3	Hearing Instrument Specialists Applicants (Verification of \$10)	\$30
3	Hearing Instrument Specialists Applicants (Photograph of \$7.50)	\$23
3	Hearing Instrument Specialists Applicants (Application Postage of \$.65)	\$1.95
Estimated Annual Cost of Compliance for the Life of the Rule		\$1,659

III. WORKSHEET

See table above.

IV. ASSUMPTION

1. The board estimates that there will be two or three applicants each year that will resubmit applications after the expiration of the three year period.
2. Most states have eliminated the verification fee, however, the \$10 amount is an average verification fee charged by the remaining states.
3. The board only receives about one reciprocity application per year. It is not anticipated that reciprocity applicants will reapply after three years.
4. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2165—Board of Examiners for Hearing
Instrument Specialists
Chapter 2—Licensure Requirements**

PROPOSED AMENDMENT

20 CSR 2165-2.030 Licensure by Examination. The board is proposing to amend subsection (7)(F).

PURPOSE: This amendment clarifies that board approval must be obtained prior to a fourth attempt to pass the licensure examination.

(7) Requirements for Passing the Examination.

(F) An applicant who fails either the written or practical portions of the examination and two (2) subsequent re-examinations shall be disqualified from retaking the examination a fourth time, until meeting with the board, *[and]* presenting a written plan for passing the examination, **and obtaining the board's approval for retaking the examination.** In the case of a hearing instrument specialist in training, the current registered supervisor, as defined in section 346.010(15), RSMo, must be present at the meeting with the board.

AUTHORITY: section[s] 346.085 [and 346.115.1(7)], RSMo 2000, and sections 346.060[,] and 346.125, RSMo Supp. [2008] 2012. This rule originally filed as 4 CSR 165-2.030. Emergency rule filed March 18, 1996, effective March 28, 1996, expired Sept. 23, 1996. Original rule filed Oct. 16, 1996, effective May 30, 1997. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Board of Examiners for Hearing Instrument Specialists, PO Box 1335, Jefferson City, MO 65102, by facsimile transmission to (573) 526-3856, or via email at behis@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.001 Definitions. The board is proposing to amend subsection (1)(D), add a new subsection (1)(E), renumber subsections (1)(E) to (1)(X) accordingly, amend the new subsection (1)(M), delete the current subsection (1)(Y), amend the current subsection (1)(BB), add a new subsection (1)(NN), renumber the remaining subsections accordingly, and amend the new subsection (1)(TT).

PURPOSE: This amendment adds and amends definitions to keep language within the Minimum Standards for Programs of Professional

Nursing internally congruent.

(1) When used in 20 CSR 2200-2, the following terms mean:

(D) Annual *[survey]* **report**—Report submitted annually by the administrator of the program that updates information on file with the board and validates continuing compliance with minimum standards;

(E) **Appeal policy and procedure**—An established procedure for processing complaints; may also be known as a complaint procedure, due process, appeals procedure, or problem resolution;

[(E)](F) Associate degree program—Program leading to associate degree in nursing conducted by an accredited degree granting institution;

[(F)](G) Baccalaureate degree program—Program leading to baccalaureate degree in nursing conducted by an accredited degree granting institution;

[(G)](H) Board—Missouri State Board of Nursing;

[(H)](I) Campus—A specific geographic program location with a distinct student body and coordinator at which all appropriate services and facilities are provided;

[(I)](J) Certificate of approval—Document issued by the board to programs of nursing which have met minimum standards;

[(J)](K) Class—A discrete cohort of students admitted to a nursing program, designed to begin a course of study together on a specific date and to graduate together on a specific date;

[(K)](L) Clinical experience—Faculty planned and guided learning activities designed to meet course objectives or outcomes and to provide a nursing student with the opportunity to practice cognitive, psychomotor, and affective skills in the delivery of nursing care to an individual, group, or community;

[(L)](M) Clinical simulation—An educational experience *[utilizing simulation experience to]* **that** creates realistic scenarios where students engage in nursing practice under the direction of nursing faculty;

[(M)](N) Clinical skills laboratory—Designated area where skills and procedures can be demonstrated and practiced;

[(N)](O) Conditional approval—Status of a program that has failed to meet or maintain the regulations or requirements, or both, set by the board. This status is subject to the program conforming to the requirements and recommendations within a time period set by the board;

[(O)](P) Cooperating agency—A corporation, hospital, or other organization which has a written agreement with the program to provide clinical education opportunities;

[(P)](Q) Coordinator—Registered professional nurse with authority and responsibility for a campus nursing program as delegated by the administrator of the nursing program;

[(Q)](R) Course objectives—Measurable statements that guide experiences and activities that help learners meet established requirements for a specific course;

[(R)](S) Curriculum—Planned studies and learning activities designed to lead students to graduation and eligibility for application for licensure;

[(S)](T) Diploma program—Program leading to diploma in nursing sponsored by a health care institution;

[(T)](U) Direct care—A clinical experience in which patient care is given by the student under the direction of the faculty member or preceptor;

[(U)](V) Distance learning—Curriculum provided from a main campus location to another geographic location, primarily through electronic or other technological methods;

[(V)](W) Endorsement—Process of acquiring licensure as a nurse based on original licensure by examination in another state, territory, or country;

[(W)](X) Faculty—Individuals designated by sponsoring institution with responsibilities for development, implementation, and evaluation of philosophy and/or mission, objectives, and curriculum of nursing program;

[(X)](Y) Full-time—Those individuals deemed by sponsoring institution to meet definition for full-time employment;

[(Y) Generic—Initial educational program in nursing leading to entry-level licensure;]

(BB) [Grievance policy and procedure—An established procedure for processing complaints; may also be known as a complaint procedure, due process, appeals procedure or problem resolution;] **Information Technology**—The study designed for development, implementation, support, or management of computer-based information systems, particularly software applications and computer hardware;

(NN) Pre-licensure—Initial educational program in nursing leading to entry-level licensure;

[(NN)](OO) Program—Course of study leading to a degree or diploma;

[(OO)](PP) Program outcomes—Measurable statements defining aggregate student achievements;

[(PP)](QQ) Requirement—A mandatory condition that a school or program meets in order to comply with minimum standards;

[(QQ)](RR) Satellite location—A site geographically separate from but administered and served by a primary program campus;

[(RR)](SS) Sponsoring institution—The institution that is financially and legally responsible for the nursing program;

[(SS)](TT) Statement of need and feasibility—Current evidence of need for professional and practical nurses, additional nursing program(s), and [of] community support;

[(TT)](UU) Systematic evaluation plan—Written plan developed by faculty for comprehensive evaluation of all aspects of the program; and

[(UU)](VV) Written agreement—Formal memorandum of understanding or contract between a nursing education program and a cooperating agency, which designates each party's responsibilities for the education of nursing students.

AUTHORITY: section[s] 335.036, *RSMo Supp. 2012*, and section 335.071, *RSMo 2000*. This rule originally filed as 4 CSR 200-2.001. Original rule filed Sept. 25, 1991, effective March 9, 1992. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

PROPOSED AMENDMENT

20 CSR 2200-2.010 Approval. The board is proposing to amend sections (1), (2), (4), (5), and (6).

PURPOSE: This amendment revises the approval process and sequence for establishment of new programs of professional nursing.

(1) *[Generic]* Pre-licensure programs granting diploma, associate degree, [or] baccalaureate degree, or master degree with a major in nursing shall obtain approval from the board.

(2) Purposes of Approval.

(D) To assist programs of professional nursing in developing and maintaining academic standards (*[didactic]* theory and clinical) that are congruent with current educational and nursing practice standards.

(4) Initial Approval Status.

(A) Process for Obtaining Initial Approval[:]/—

1. An **accredited** institution of higher education desiring to establish a program of professional nursing shall submit a *[letter of intent]* petition to the board at least three (3) months prior to the submission of a proposal. **Prior to submission of a petition, nursing programs operating under the institution's sponsorship shall meet requirements for full program approval.** The *[letter of intent must]* petition shall include: the name and location of the sponsoring institution and its accreditation status; the mission statement of the sponsoring institution[:]/ and the mission statement of the proposed program; the proposed location (and satellites) in relation to the administrative offices of the sponsoring institution; statement of need and feasibility; type and length of the nursing program proposed; and tentative budget plans including evidence of financial resources adequate for planning, implementing, and continuing the nursing program. **The statement of need and feasibility shall include:**

A. Documentation of the need for the nursing program including community and economic development need, rationale for why the program should be established, and documentation of employers' need for graduates of the proposed program;

B. Number of professional nursing and practical nursing programs in the area and potential impact on those nursing programs;

C. Number and source of anticipated student population;

D. Letters of support for the proposed nursing program;

E. Letter(s) from potential clinical sites; including a description of potential clinical sites, average daily patient census, and the ability to provide clinical placement to potential students in addition to those of existing nursing programs to meet program objectives and outcomes; and

F. Source of potential qualified faculty and anticipated ratio of faculty to student enrollment. Upon board review of the petition, the board shall have the authority to approve or deny the petition. The petition shall be accepted by the board prior to submission of a proposal. Revised petitions may be submitted to the board. Each petition shall remain active for no more than one (1) calendar year from the date of review by the board. The board will electronically notify nursing programs of the *[letter of intent]* accepted petition;

2. Each sponsoring institution shall have only one (1) program proposal under consideration for initial approval at any one (1) time;

3. A program proposal shall be written and presented to the board by the administrator of the proposed program. **The proposal shall be written to reflect compliance with the Minimum Standards for Programs of Professional Nursing as prescribed in 20 CSR 2200-2.050 through 20 CSR 2200-2.130.** The proposal shall bear the signature of the administrator who shall meet the criteria in 20 CSR 2200-2.060(1)(B) and shall be active in the position on a full-time basis at least nine (9) months and preferably one (1) year prior to the entry of the first class. The number of copies of the proposal, as specified by the board, *[must]* shall be accompanied with the required application fee. **Submission of the application fee shall initiate review of the proposal.** The proposal *[must]* shall be

prepared following the reporting format and include each component as indicated in paragraph (4)(A)4. of this rule. **The proposal shall remain active for no more than one (1) calendar year from the date of review by the board. No more than two (2) proposal revisions shall be accepted. Members designated by the board shall review the proposal and make recommendations prior to presentation of the proposal to the board.** Board approval of the proposal with or without contingencies *[must]* shall be obtained no later than six (6) months prior to the anticipated opening date;

4. A proposal submitted shall contain the following information:

[A. Statement of need and feasibility study, which includes:

(I) Documentation of the need for the nursing program including community and economic development need, rationale for why the program should be established, and documentation of employers' need for graduates of the proposed program;

(II) Number of professional nursing and practical nursing programs in the area and potential impact on those nursing programs;

(III) Number and source of anticipated student population;

(IV) Letters of support for the proposed nursing program; and

(V) Source of potential qualified faculty;]

[B./A. Curriculum.

(I) Philosophy and/or mission.

(II) Graduate competencies.

(III) Curriculum sequence.

(IV) Course descriptions and objectives with number of credit hours for all courses.

(V) Systematic evaluation plan[;].

(VI) Evidence of eligibility for articulation of credits related to baccalaureate completion programs;

[C./B. Students.

(I) Maximum number of students per class.

(II) Number of classes admitted per year.

(III) Number of students anticipated in initial class.

(IV) Plan for increase to maximum enrollment, if applicable.

(V) Admission criteria.

(VI) Plans for progression and retention of students.

(VII) [Formal complaint procedure] Appeal policies and procedures.

(VIII) Availability and accessibility of student services [and personnel];

[D./C. Faculty.

(I) [Number of full-time and part-time faculty.] Plan for hiring full-time and part-time theory and clinical faculty. This shall include full-time equivalents, student to faculty ratios, and full-time to part-time faculty ratios to meet initial and increasing enrollment.

(II) Position descriptions;

[E./D. Support services personnel.

(I) Number of full-time and part-time ancillary support services personnel.

(II) Position descriptions;

[F./E. Sponsoring institution.

(I) Evidence of authorization to conduct the program of professional nursing by the governing body of the sponsoring institution.

(II) Evidence of accreditation by an agency recognized by the United States Department of Education.

(III) [Provision of administrative structure/organizational charts of the sponsoring institution and the nursing program.] Current organizational chart(s) illustrating the relationship of the program to the sponsoring institution and the faculty structure within the proposed program.

(IV) Evidence of financial stability and resources of the sponsoring institution and the program of nursing; and

[G./F. Facilities.

(I) Description of educational facilities to be used by the professional nursing program such as classrooms, library, offices, clinical skills laboratory, and other facilities.

(II) Description of planned or available learning resources to include such items as equipment, supplies, library services, computers, and technology.

(III) [Description of proposed clinical sites that will provide appropriate educational experience.] Letter(s) from potential clinical sites; including a description of potential clinical sites, average daily patient census and the ability to provide clinical placement to potential students in addition to those of existing nursing programs to meet program objectives and outcomes.

(IV) A letter of intent from each proposed cooperating agency stating its ability to provide the appropriate educational experiences to meet program objectives and outcomes;

5. Site survey. Representatives from the board shall make an on-site survey to verify implementation of the proposal and compliance with 20 CSR 2200-2.050 through 20 CSR 2200-2.130; and

6. The board's decision to grant initial approval is contingent upon evidence from the site survey that the program is being implemented in compliance with 20 CSR 2200-2.050 through 20 CSR 2200-2.130. Initial program approval contingent on the site survey shall remain active for no more than one (1) calendar year prior to program start.

(C) Upon graduation of the program's first class and receipt of results of the National Council Licensure Examination for Registered Nurses (NCLEX-RN®), the board will review the following:

1. The program's compliance with minimum standards during initial approval including the program's adherence to the approved proposal and changes authorized by the board;

2. Report of an on-site survey [if conducted];

3. Report of National Council Licensure Examination for Registered Nurses results (see 20 CSR 2200-2.180(1));

4. Identification and analysis of class graduation rate; and

5. Submission of program's ongoing systematic evaluation plan with available data.

(5) Full Approval Status.

(A) Annual [Survey] Report. Each program and each campus of each program shall complete and submit the board's annual survey *[prior to]* by the established deadline. Following review by the board, each program shall be notified of the board's action(s).

(B) A program's approval status shall be subject to review by the board if the required annual report is not received within thirty (30) days from the established deadline.

[(B)](C) On-Site Surveys. On-site surveys shall be made on a scheduled basis, at the direction of the board, or upon request of the nursing program. Each nursing program shall be surveyed typically at five- (5-)/- year intervals. If the program is accredited by a national nursing accreditation agency, the nursing program may request that the on-site survey be scheduled in coordination with a national nursing accreditation agency visit. **Representatives of the board shall form a survey team to conduct each on-site survey. Each survey team shall consist of two (2) or more persons qualified to conduct on-site surveys. The program shall solicit public comments in preparation for each scheduled on-site survey. Evidence of solicitation of public comments shall be available for review during the on-site survey.**

[(C)](D) Additional Visits/Surveys. *[A representative]* **At least two (2) representatives** of the board shall make additional visits/surveys as deemed necessary by the board. A program may request additional visits.

(6) Conditional Approval Status.

(B) Should circumstances be such that instructional quality and integrity of the program is jeopardized, the board may impose a moratorium on student admissions.

[(B)](C) A program may be placed on conditional approval status if it has failed to meet or maintain the rules/regulations or requirements, or both, set by the board. The program will remain on conditional approval status until such time as the deficiencies are corrected to the satisfaction of the board.

[(C)](D) A program's approval may be withdrawn pursuant to section 335.071.3., RSMo, for noncompliance with minimum standards. A program which fails to correct identified deficiencies to the satisfaction of the board shall, after notice and hearing, be removed from the board's listing of approved programs.

AUTHORITY: section[s] 335.036, *RSMo Supp. 2012*, and section 335.071, *RSMo 2000*. This rule originally filed as 4 CSR 200-2.010. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

PROPOSED AMENDMENT

20 CSR 2200-2.020 Discontinuing and Reopening Programs. The board is proposing to amend subsections (1)(A) and (B) and adding new subsection (1)(G).

PURPOSE: This amendment clarifies requirements for program closure. It adds a new requirement of a program closure summary.

(1) Program Discontinuation.

(A) *[A letter of intent]* A **plan for closure** shall be submitted to the board, at least six (6) months and, preferably, one (1) year prior to closing the program and shall include:

1. Closing date; and
2. Plans for completion of program for currently enrolled students.

(B) The plan for closure *[must]* shall be approved by the board prior to implementation.

(G) A **program closure summary** indicating compliance with the requirements of this rule shall be submitted to the board no later than thirty (30) days after the actual date for program closure.

AUTHORITY: section[s] 335.036, *RSMo Supp. 2012*, and section 335.071, *RSMo 2000*. This rule originally filed as 4 CSR 200-2.020. This version of rule filed April 20, 1973, effective May 1, 1973. For

intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

PROPOSED AMENDMENT

20 CSR 2200-2.030 Change of Sponsorship. The board is proposing to amend section (3).

PURPOSE: This amendment clarifies the rule by aligning the language used in this rule with language used in other rules within this chapter.

(3) Any proposed changes that affect the criteria included in 20 CSR 2200-2.010(4)(A)1.-4. *[must]* shall be approved by the board prior to implementation.

AUTHORITY: section[s] 335.036, *RSMo Supp. 2012*, and section 335.071, *RSMo 2000*. This rule originally filed as 4 CSR 200-2.030. This version filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 2—Minimum Standards for Approved Programs of Professional Nursing

PROPOSED AMENDMENT

20 CSR 2200-2.035 Multiple Campuses. The board is proposing to amend sections (3) and (4).

PURPOSE: *This amendment clarifies academic and experiential requirements for full-time faculty. It also clarifies the rule by aligning the language used in this rule with language used in other rules within this chapter.*

(3) The sponsoring institution *[must]* shall submit a proposal as indicated in 20 CSR 2200-2.010(4)(A) and receive approval from the board before opening an additional campus. Each additional campus shall be surveyed.

(4) Each campus shall have a full-time faculty person designated as the coordinator who reports to the program administrator. **Each program coordinator shall meet the faculty requirements for appointment.**

AUTHORITY: *section[s] 335.036[(2), (3), (4), (5) and (6)], RSMo Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.035. Original rule filed Aug. 6, 1998, effective Feb. 28, 1999. Moved to 20 CSR 2200-2.035, effective Aug. 28, 2006. Rescinded and readopted: Filed April 17, 2007, effective Dec. 30, 2007. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.040 Program Changes Requiring Board Approval, Notification, or Both. The board is proposing to amend subsection (1)(C).

PURPOSE: *This amendment aligns terms throughout the minimum standards chapter and clarifies the rule by changing the term from admission to enrollment.*

(1) Board approval is required for changes of the following:

(C) Increase number of students by *[admission]* **enrollment** or transfer, by more than one (1) beyond the number approved by the board;

AUTHORITY: *section 335.036, RSMo [2000] Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.040. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.060 Administrator/Faculty. The board is proposing to amend sections (1) through (3).

PURPOSE: *This amendment addresses the requirements for nursing program administrators and faculty for board approval.*

(1) Program Administrator.

(B) Criteria for Appointment[:]/—

1. Current, *[undisciplined license to practice professional nursing in Missouri]* **active licensure to practice professional nursing in Missouri; the candidate's license to practice professional nursing has never been disciplined in any jurisdiction;**

2. Graduate degree in nursing with a clinical component in either the bachelor's or master's degree; **a doctoral degree is recommended;**

3. Academically and experientially qualified and maintains expertise in area of responsibility; and

4. Approved by the board prior to appointment. **Academic transcript(s) that reflects eligibility for the position shall be submitted to the board for approval prior to appointment.**

(C) Program administrators with responsibility for two (2) or more nursing programs shall designate full-time faculty as program coordinators. The coordinator's workload shall allow time for day-to-day management of one (1) nursing program under the direction of the program administrator. Each program coordinator shall meet faculty requirements for appointment.

(2) Nursing Faculty.

(B) Criteria for Appointment[:]/—

1. Current, *[undisciplined license to practice professional nursing in Missouri]* **active licensure to practice professional nursing in Missouri; the candidate's license to practice professional nursing has never been disciplined in any jurisdiction;**

2. Educational requirements[:]/—

A. Nursing faculty teaching in associate degree or diploma programs shall have a minimum of a baccalaureate degree in nursing with a clinical component. A graduate degree in nursing is recommended; and

B. Nursing faculty teaching in baccalaureate programs shall have a minimum of a graduate degree. Seventy-five percent (75%) of **full-time** faculty shall have a graduate degree with major in nursing. A doctoral degree is recommended. Faculty without a nursing major in their graduate degree shall have a bachelor's degree in nursing

with a clinical component;

3. Academically and experientially qualified and maintain expertise in areas of responsibility; *[and]*

4. *[Approved by the board prior to appointment.]*
Contingent faculty approval may be granted if—

A. The program meets requirements for full board program approval;

B. The program presents sufficient evidence that all options to fill the respective position with a candidate who meets academic requirements have been exhausted;

C. The candidate has current licensure to practice professional nursing in Missouri; the candidate's license to practice professional nursing has never been disciplined in any jurisdiction;

D. The candidate is experientially qualified and maintains expertise in areas of responsibility;

E. The candidate is projected to receive the required degree within twelve (12) months of hire; faculty candidates working on a doctoral degree shall complete the required degree within twenty-four (24) months of hire; and

F. Faculty approved on contingency shall work under the direction of a board-approved faculty; and

5. Academic transcript(s) that reflects eligibility for the position shall be submitted to the board. Faculty candidates shall be approved by the board prior to appointment.

(3) Responsibilities. The administrator and faculty of the program shall be responsible for, but not limited to:/—

(H) Maintenance of clinical and educational competencies in areas of instructional responsibilities. Professional competence activities may include nursing practice, continuing education, writing for publication, and/or participation in professional associations; *[and]* **evidence of ongoing professional competence related to specialty area instruction shall be maintained;**

(I) Participation in the development of program and institutional policies and decision making/./; **and**

(J) **Experienced faculty shall serve as assigned mentors for less seasoned and new faculty. Records of assigned mentors shall be maintained.**

AUTHORITY: section 335.036, RSMo [2000] Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.060. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately six thousand one hundred thirty-four dollars and fifteen cents (\$6,134.15) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2200 - State Board of Nursing

Chapter 2 - Minimum Standards for Approved Programs of Professional Nursing

Proposed Rule - 20 CSR 2200-2.060 Administrator/Faculty

Prepared January 2, 2013 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
27	Applicants for Program Administrator (Transcript @ \$10.00)	\$270.00
27	Applicants for Program Administrator (Postage @ \$0.45)	\$12.15
560	Applicants for Program Faculty (Transcript @ \$10.00)	\$5,600.00
560	Applicants for Program Faculty (Postage @ \$0.45)	\$252.00
Estimated Annual Cost of Compliance for the Life of the Rule		\$6,134.15

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY12 actuals.
2. There is a total of 56 professional nursing programs (23 BSN, 35 Associate Degree and one diploma program). There is a total of 27 program administrators. Some of the administrators manage more than one program. The number of faculty is dependent upon the size of each program. On average, nursing programs employ ten faculty members.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.070 Physical Facilities. The board is proposing to add new paragraph (5)(B)1. and renumbering subsequent paragraphs accordingly.

PURPOSE: This amendment requires designated faculty time to manage skills lab resources.

(5) Clinical Skills Laboratory.

(B) Management of clinical skills laboratory shall include:

1. Designated faculty time to manage skills lab resources;

[1.]2. Budget allocation for equipment and supplies;

[2.]3. Plan for acquisition and maintenance of equipment and supplies; and

[3.]4. Policies and procedures governing the administration and the use of the clinical skills laboratory. These policies and procedures shall be in writing and available to students and faculty.

AUTHORITY: section 335.036, RSMo [2000] Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.070. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
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**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.080 Clinical Sites. The board is proposing to amend section (1) by relettering sections (2) and (3) as subsections (1)(A) and (1)(B), add subsections (1)(C)–(1)(E), renumber section (4), and delete section (5).

PURPOSE: This amendment changes requirements of direct patient care experiences.

(1) Clinical sites shall be selected which will provide direct care and observational learning experiences to meet the objectives of the course.

[(2)](A) Observational experiences shall provide learning experiences to meet the course objectives and shall not exceed twenty percent (20%) of the total clinical program hours. Orientation to the facility does not contribute to the twenty percent (20%).

[(3)](B) Clinical simulation and clinical skills lab time is at the discretion of the nursing program.

(C) Direct patient care experiences shall be sufficient to achieve identified competencies as well as course and program outcomes.

(D) The ratio of faculty to students in the clinical area shall be designed to promote patient safety and to facilitate student learning.

(E) There shall be evidence of clinical orientation for each nursing course with a clinical component.

[(4)](2) Each program shall have written evidence of an agreement with each clinical site which includes time frames for a notification of termination and periodic review.

[(5) There shall be evidence of clinical orientation for each nursing course with a clinical component.]

AUTHORITY: section 335.036, RSMo [2000] Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.080. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.085 Preceptors. The board is proposing to amend subsection (1)(D), add new section (3), renumber subsequent sections, amend new subsections (4)(E) and (F), and delete current section (4).

PURPOSE: This amendment clarifies the use of preceptors by nursing program faculty.

(1) Preceptors may be used as role models, mentors, and supervisors of students in professional nursing programs—

(D) Preceptors shall supervise no more than two (2) students [at a time.] during any given shift. Supervision by a preceptor means that the preceptor is present and available to the student(s) in the clinical setting.

(3) Responsibilities of preceptors shall include:

(A) Possess current license to practice as a registered professional nurse with at least one (1) year experience in the area of clinical specialty for which the preceptor is used;

(B) Perform the responsibilities as determined by the nursing program; and

(C) Provide written documentation to faculty regarding the student's performance in relation to meeting designated course objectives.

[(3)](4) Responsibilities of the nursing program faculty in regards to utilization of preceptors shall include:

(A) Select the preceptor in collaboration with the clinical site;

(B) Provide the preceptor with information as to the duties, roles, and responsibilities of the faculty, the student, and the preceptor including the communication processes;

(C) Provide the preceptor a copy of the objectives of the course in which the student is enrolled and directions for assisting the student to meet objectives specific to the clinical experience;

(D) Assume responsibility for each student's final evaluation and the assigning of a performance rating or grade;

(E) [Faculty shall b/Be readily available to students and clinical preceptors during clinical learning experiences/.; and

(F) [The designated faculty member s/ Shall meet periodically with the clinical preceptors and student(s) for the purpose of monitoring and evaluating learning experiences.

[(4) Responsibilities of the preceptor shall include:

(A) Possess current license to practice as a registered professional nurse with at least one (1) year experience in the area of clinical specialty for which the preceptor is used;

(B) Perform the responsibilities as determined by the nursing program; and

(C) Provide written documentation to faculty regarding the student's performance in relation to meeting designated course objectives.]

AUTHORITY: section 335.036, RSMo [2000] Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.085. Original rule filed May 4, 1993, effective March 10, 1994. Amended: Filed Aug. 6, 1998, effective Feb. 28, 1999. Moved to 20 CSR 2200-2.085, effective Aug. 28, 2006. Rescinded and readopted: Filed April 17, 2007, effective Dec. 30, 2007. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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REGISTRATION
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.090 Students. The board is proposing to move the current section (2) under section (1), renumber the current section (3) to section (2), remove subsection (3)(D) from the current section and make it the new section (3), and amend the new section (3).

PURPOSE: This amendment aligns terms to be congruent throughout the Minimum Standards for Programs of Professional Nursing and Practical Nursing.

(1) Admission, Readmission, and Transfer.

[(2)](F) Students for whom English is a second language shall meet the same general admission requirements as other students.

[(3)](2) Student Services.

(A) Housing. If the school provides housing for students, there shall be written policies governing the facilities.

(B) Health. If the school provides health services for students, there shall be information available regarding a process for accessing and obtaining health care.

(C) Academic Advisement and Financial Aid Services. Academic advisement and financial aid services shall be accessible to all students.

[(D)](3) [Grievance] Appeal Procedure. Policies and procedures which afford students due process shall be available for managing academic and nonacademic [grievances] appeals. Due process for student [grievances] appeals shall include the providing of written notice of all decisions affecting an individual student/./ [an opportunity for the student to contest those decisions either in writing or in person, the] An opportunity to contest facts serving as the basis for [the] decisions and [the opportunity] opportunities to appeal [the] decisions to a higher level [higher] than the original decision-maker shall be included.

AUTHORITY: section 335.036, RSMo [2000] Supp. 2012, and section 335.071, RSMo 2000. This rule originally filed as 4 CSR 200-2.090. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.100 Educational Program. The board is proposing to amend sections (1)–(5).

PURPOSE: *This amendment clarifies requirements related to curriculum and clinical learning.*

(1) General Purpose.

(B) *[Graduate competencies shall be derived from the philosophy and/or mission of the program.]* The curriculum incorporates established professional standards, guidelines, and competencies with clearly stated objectives, graduate competencies, and program outcomes.

(D) The educational program shall provide clinical education to facilitate transition to professional nursing practice.

(2) Curriculum Organization and Development.

(B) There shall be a written curriculum plan *[which reflects the program's philosophy and/or mission and objectives and shall be logically consistent between and within courses.]* that is logically structured to achieve expected individual and aggregate student outcomes.

(C) Curriculum design of programs of professional nursing shall foster seamless articulation toward Bachelor of Science in Nursing (B.S.N.) completion.

[(C)](D) The curriculum shall be planned so that the number of hours/credits/units of instruction are distributed between theory and clinical hours/credits/units to permit achievement of graduate competencies and program outcomes.

[(D)](E) Curriculum shall be planned so that each division of the curriculum (whether it be a quarter, term, or semester) has a reasonably equal number of credit hours of instruction and has a beginning and ending date.

[(E)](F) The number of credit hours required for completion of the nursing program shall not exceed the number of credit hours required for a comparable degree program.

[(F)](G) Student learning experiences shall be directed and evaluated by the faculty and be consistent with the curriculum plan.

(3) Curriculum Requirements. *[There shall be a general written plan for the total curriculum which will show the courses taught, sequence, correlation and integration of classroom and clinical instruction.]* Content may be developed as a separate course or integrated. Integrated concepts shall be evident in the course objectives. *[Instruction will be provided in the following areas]* Coursework shall include, but is not limited to:

[(A)] Biological and physical sciences;

[(B)] Behavioral and social sciences; and

[(C)] Nursing courses shall include content reflecting concepts across the life span in—

1. Growth and development;

2. Prevention of illness;

3. Promotion, maintenance, and restoration of health;

4. Communications;

5. Legal and ethical aspects of nursing;

6. Evidence-based practice; and

7. Patient-centered care.]

(A) Content in the biological, physical, social, and behavioral sciences to provide a foundation for competent, safe, and effective nursing practice;

(B) Didactic content and supervised clinical experience in the prevention of illness and the promotion, restoration, and maintenance of health in patients across the life span and in a variety of clinical settings, to include:

1. Using information technology to communicate, manage knowledge, mitigate error, and support decision-making;

2. Employing evidence-based practice to integrate best research with clinical expertise and patient values for optimal care, including skills to identify and apply best practices to nursing care;

3. Considering moral, legal, and ethical standards in decision-making processes;

4. Understanding quality improvement processes to measure

patient outcomes, identify hazards and errors, and develop changes in processes of patient care;

5. Considering the impact of policy and finance of the healthcare system;

6. Involving patients in decision-making and care management;

7. Coordinating and managing continuous patient care;

8. Promoting healthy lifestyles for patient and populations;

9. Working in interdisciplinary teams to cooperate, collaborate, communicate, and integrate patient care and health promotion; and

10. Providing patient-centered culturally sensitive care with focus on respect for patient differences, values, preferences, and expressed needs.

(C) External nursing examinations, if used, shall not be the sole basis for program progression or graduation.

(4) Syllabus Construction. Syllabi shall be current and available to all faculty, *[and]* students, and cooperating agencies. Each syllabus shall include:

[(A)] *[The objectives of each course]* Course description;

[(B)] Course objectives;

[(B)](C) *[The t/Teaching/]* or learning strategies *[to be used]*;

[(C)](D) Evaluation methodologies; *[and]*

[(E)] Grading scale;

[(D)](F) Course policies~~[/]~~; and

[(G)] Clock or credit hour requirements related to theory, lab, and clinical instruction.

(5) Distance Education. Courses/programs of study that utilize distance education shall have—

(D) Clinical courses *[must]* shall be faculty *[directed]* supervised and include direct patient care activities with faculty oversight;

(E) Learning and technology resources, *[including library access]* to include library resources, that are selected with input of the faculty and are comprehensive, current, and accessible to faculty and students;

AUTHORITY: *section 335.071, RSMo 2000, and section 335.036, RSMo Supp. [2000] 2012. This rule originally filed as 4 CSR 200-2.100. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.110 Records. The board is proposing to amend paragraph (1)(B)2. and add a new section (3).

PURPOSE: This amendment eliminates the requirement to post name and location of the credit-granting institution.

(1) Transcripts.

(B) The official transcript shall identify the following:

1. Date of admission, date of separation from the program, [and] hours/credits/units earned, and the diploma/degree awarded; and

2. Transferred credits, including course titles[,] and credits earned. [, and the name and location of the credit-granting institution.] **Name and location of the credit-granting institution shall be maintained as part of graduate records.**

(3) Compliance with the Family Education Rights and Privacy Act (FERPA) and any applicable regulations shall be strictly maintained.

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-2.110. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 20—DEPARTMENT OF INSURANCE,
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REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.120 Publications. The board is proposing to amend subsections (4)(D) and (H).

PURPOSE: This amendment aligns terms to keep language congruent with other sections in this chapter.

(4) The following information shall be available to the student in writing upon entry:

(D) Faculty roster with [qualifications] **credentials**;

(H) [Due process] **Appeal** policies and procedures.

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-2.120. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.130 Program Evaluation. The board is proposing to amend the purpose and sections (1), (2), and (3).

PURPOSE: This amendment clarifies expectations of the systematic program evaluation process.

PURPOSE: This rule provides for evaluation of the professional nursing program by students, [and] faculty, and coordinating agencies.

(1) There shall be a written plan for systematic evaluation of all aspects of the program **that includes student objectives, graduate competencies, and program outcomes.** [The plan shall include] **The systematic evaluation of the program will document the following:**

(B) Methods of evaluation; [and]

(C) Person(s) responsible for the evaluation[.];

(D) **Program-specific benchmarks;**

(E) **Actual outcomes with trended data; and**

(F) **Program planning and improvement based on analysis of the benchmarks and actual outcomes.**

(2) [The s]Systematic evaluation [plan provides for the] of the program shall include evaluation of the following:

(A) **Student achievement of program outcomes;**

(B) **Adequacy of program resources to include, but not limited to, fiscal, human, and technical learning resources;**

(C) **Clinical experiences to include, but not limited to, evaluation of:**

[(A)]1. Clinical sites by students and faculty;

[(B)]2. Course and faculty by students; and

[(C)]3. Students and faculty by representative(s) of clinical site(s); and

(D) [Program preparation for nursing employment by] **Multiple measures of program outcomes to include, but not limited to, National Council Licensure Examination (NCLEX) pass rates, graduation and job placement rates, and graduate/employer satisfaction with program preparation for new graduates at [nurses,] six (6) months or more[,] after graduation.**

(3) Documentation shall indicate that [the systematic evaluation plan] **data collected through systematic evaluation** has been utilized in the planning and improvement of the program.

AUTHORITY: *section 335.071, RSMo 2000, and section 335.036, RSMo [2000] Supp. 2012. This rule originally filed as 4 CSR 200-2.130. This version of rule filed April 20, 1973, effective May 1, 1973. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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Division 2200—State Board of Nursing
Chapter 2—Minimum Standards for Approved
Programs of Professional Nursing**

PROPOSED AMENDMENT

20 CSR 2200-2.180 Licensure Examination Performance. The board is proposing to amend sections (2) and (3).

PURPOSE: *This amends the requirement of the plan of correction for pass rates below eighty (80%) percent.*

(2) First-time candidates *[will]* **shall** include only those graduates of the program who take the licensure examination for the first time within one (1) year of graduation.

(3) The nursing program with a pass rate lower than eighty percent (80%) *[will]* **shall**:

(A) First year—Provide the board with a report analyzing all aspects of the education program, identifying areas contributing to the unacceptable pass rate and plan of *[action]* **correction** to resolve low pass rate~~;~~. The plan of correction shall include:

1. Mission or philosophy of the nursing program;
2. Program governance as defined in 20 CSR 2200-2.050(5);
3. General faculty resources and workload;
4. Student support services;
5. Program admission, progression, and graduation policies;
6. Program graduation rates for the last five (5) years;
7. National Council Licensure Examination for Registered Nurses (NCLEX-RN®) pass rates for the last five (5) years;
8. Job placement rates for the last five (5) years;
9. Program satisfaction, to include student, graduate, and employer data;
10. Number of nursing faculty teaching on full-time and part-time basis; to include part-time clinical faculty and faculty on contingent approval; and
11. Use of systematic program evaluation data related to program planning and improvement;

(B) Second consecutive year—The program may be placed on conditional approval status. The program administrator will be required to appear before and present to the board *a[n]* **current** analysis of program effectiveness, problems identified, and plans of correction~~[/]~~; *[Program effectiveness may include evidence of:*

1. Class graduation rates;
2. National Council Licensure Examination for Registered Nurses (NCLEX-RN®) pass rates;
3. Student satisfaction;
4. Graduate satisfaction;
5. Job placement rates; and
6. Employer satisfaction.]

(C) Side-by-side comparison of first-year and second-year analyses of program effectiveness shall be included;

[(C)](D) The nursing program placed on conditional approval shall remain on *["conditional approval"]* (as per 20 CSR 2200-2.010(6) until it has two (2) consecutive years of pass rates of at least eighty percent (80%) or until the board removes approval pursuant to section 335.071.3., RSMo; and

[(D)](E) If, after two (2) years of conditional approval, a *[school]* **nursing program** has not demonstrated consistent measurable progress toward implementation of the correction plan **and NCLEX-RN® pass rates remain below eighty percent (80%)**, the board *[will]* **shall** withdraw approval pursuant to section 335.071.3., RSMo.

AUTHORITY: *section[s] 335.036(2), (3), (4), (5) and (6) and 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-2.180. Original rule filed Sept. 1, 1998, effective Feb. 28, 1999. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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REGISTRATION
Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.001 Definitions. The board is proposing to amend subsections (1)(J) and (1)(PP); delete subsections (1)(V) and (1)(Y); add new subsections (1)(E) and (1)(Z); and renumbering the subsections accordingly.

PURPOSE: *This amendment adds and amends language to keep language within the Minimum Standards for Programs of Practical Nursing internally congruent.*

(1) When used in 20 CSR 2200-3, the following terms mean:

(D) Annual *[survey]* **report**—Report submitted annually by the administrator of the program that updates information on file with the board and validates continuing compliance with minimum standards;

(E) **Appeal policy and procedure**—An established procedure for processing complaints; may also be known as a complaint

procedure, due process, appeals procedure, or problem resolution;

[(E)](F) Board—Missouri State Board of Nursing;

[(F)](G) Campus—A specific geographic program location with a distinct student body and coordinator at which all appropriate services and facilities are provided;

[(G)](H) Certificate of approval—Document issued by the board to programs of nursing which have met minimum standards;

[(H)](I) Class—A discrete cohort of students admitted to a nursing program, designed to begin a course of study together on a specific date and to graduate together on a specific date;

[(I)](J) Clinical experience—Faculty planned and guided learning activities designed to meet course objectives or outcomes and to provide a nursing student with the opportunity to practice cognitive, psychomotor, and affective skills in the delivery of nursing care to an individual, group, or community;

[(J)](K) Clinical simulation—An educational experience *[utilizing simulation experience to]* that creates realistic scenarios where students engage in nursing practice under the direction of nursing faculty;

[(K)](L) Clinical skills laboratory—Designated area where skills and procedures can be demonstrated and practiced;

[(L)](M) Conditional approval—Status of a program that has failed to meet or maintain the regulations or requirements, or both, set by the board. This status is subject to the program conforming to the requirements and recommendations and within a time period set by the board;

[(M)](N) Cooperating agency—A corporation, hospital, or other organization which has a written agreement with the program to provide clinical education opportunities;

[(N)](O) Coordinator—Registered professional nurse with authority and responsibility for a campus nursing program as delegated by the administrator of the nursing program;

[(O)](P) Course objectives—Measurable statements that guide experiences and activities that help learners meet established requirements for a specific course;

[(P)](Q) Curriculum—Planned studies and learning activities designed to lead students to graduation and eligibility for application for licensure;

[(Q)](R) Direct care—A clinical experience in which patient care is given by the student under the direction of the faculty member or preceptor;

[(R)](S) Distance learning—Curriculum provided from a main campus location to another geographic location primarily through electronic or other technological methods;

[(S)](T) Endorsement—Process of acquiring licensure as a nurse based on original licensure by examination in another state, territory, or country;

[(T)](U) Faculty—Individuals designated by sponsoring institution with responsibilities for development, implementation, and evaluation of philosophy and/or mission, objectives, and curriculum of nursing program;

[(U)](V) Full-time—Those individuals deemed by sponsoring institution to meet definition for full-time employment;

[(V)] Generic—*Initial educational program in nursing leading to entry-level licensure;*

[(Y)] Grievance policy and procedure—*An established procedure for processing complaints; may also be known as a complaint procedure, due process, appeals procedure or problem resolution;*

[(Z)](Y) Initial approval—Status granted a program of practical nursing until full approval status is granted or denied;

(Z) Information Technology—The study designed for development, implementation, support, or management of computer-based information systems, particularly software applications and computer hardware;

(PP) Statement of need **and feasibility**—Current evidence of need for professional and practical nurses, **additional nursing program(s)**, and *[of]* community support;

AUTHORITY: *section[s] 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.001. Original rule filed March 25, 1993, effective Dec. 9, 1993. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.010 Approval. The board is proposing to amend sections (2), (4), (5), and (6).

PURPOSE: *This amendment revises the approval process and sequence for establishment of new programs of practical nursing.*

(2) Purposes of *[a]* Approval *[are]*—

(D) To assist programs of practical nursing in developing and maintaining academic standards (*[didactic]* theory and clinical) that are congruent with current educational and nursing practice standards.

(4) Initial Approval Status.

(A) Process for Obtaining Initial *[Status]* Approval:—

1. An **accredited** institution of education desiring to establish a program of practical nursing shall submit a *[letter of intent]* **petition** to the board at least three (3) months prior to the submission of a proposal. **Prior to submission of a petition, nursing programs operating under the institution's sponsorship shall meet requirements for full program approval.** The *[letter of intent must]* **petition shall include: the name and location of the sponsoring institution and its accreditation status; the mission statement of the sponsoring institution; and the mission statement of the proposed program; the proposed location (and satellites) in relation to the administrative office of the sponsoring institution; statement of need and feasibility; type and length of the nursing program proposed; and tentative budget plans including evidence of financial resources adequate for planning, implementing, and continuing the nursing program.**

A. The statement of need and feasibility shall include:

(I) Documentation of the need for the nursing program including community and economic development need, rationale for why the program should be established, and documentation

of employers' need for graduates of the proposed program;

(II) Number of professional nursing and practical nursing programs in the area and potential impact on those nursing programs;

(III) Number and source of anticipated student population;

(IV) Letters of support for the proposed nursing program;

(V) Letter(s) from potential clinical sites; including a description of potential clinical sites, average daily patient census, and the ability to provide clinical placement to potential student(s) in addition to those of existing nursing programs to meet program objectives and outcomes; and

(VI) Source of potential qualified faculty and anticipated ratio of faculty to student enrollment.

B. Upon board review of the petition, the board shall have the authority to accept or deny the petition. The petition shall be accepted by the board prior to submission of a proposal. Revised petitions may be submitted to the board. Each petition shall remain active for no more than one (1) calendar year from the date of review by the board.

C. The board will electronically notify nursing programs of the *[letter of intent]* accepted petition;

2. Each sponsoring institution shall have only one (1) program proposal under consideration for initial approval at any one (1) time;

3. A program proposal shall be written and presented to the board by the administrator of the proposed program. **The proposal shall be written to reflect compliance with the Minimum Standards for Program of Practical Nursing as prescribed in 20 CSR 2200-3.050 through 20 CSR 2200-3.130.** The proposal shall bear the signature of the administrator who shall meet the criteria in 20 CSR 2200-3.060(1)(B) and shall be active in the position on a full-time basis for at least nine (9) months and preferably one (1) year prior to the entry of the first class. The number of copies of the proposal, as specified by the board, *[must]* shall be accompanied with the required application fee. **Submission of the application fee shall initiate review of the proposal.** The proposal *[must]* shall be prepared following the reporting format and include each component as indicated in paragraph (4)(A)4. of this rule. **The proposal shall remain active for no more than one (1) calendar year from the date of receipt at the board office. No more than two (2) proposal revisions shall be accepted. Members designated by the board shall review the proposal and make recommendations to the board.** Board approval of the proposal with or without contingencies *[must]* shall be obtained no later than six (6) months prior to the anticipated opening date;

4. A proposal submitted shall contain the following information:

[A. Statement of need and feasibility study which includes:

(I) Documentation of the need for the nursing program including community and economic development need, rationale for why the program should be established, and documentation of employers' need for graduates of the proposed program;

(II) Number of professional nursing and practical nursing programs in the area and potential impact on those nursing programs;

(III) Number and source of anticipated student population;

(IV) Letters of support for the proposed nursing program; and

(V) Source of potential qualified faculty;]

[B./A. Curriculum.

(I) Philosophy and/or mission.

(II) Graduate competencies.

(III) Curriculum sequence.

(IV) Course descriptions and objectives with number of credit hours or clock hours for all courses.

(V) Systematic evaluation plan;/.]

(VI) Evidence of eligibility for articulation of credits related to completion of a program of professional nursing;

[C./B. Students.

(I) Maximum number of students per class.

(II) Number of classes admitted per year.

(III) Number of students anticipated in initial class.

(IV) Plan for increase to maximum enrollment, if applicable.

(V) Admission criteria.

(VI) Plans for progression and retention of students.

(VII) *[Formal complaint procedure]* Appeal policies and procedures.

(VIII) Availability and accessibility of student services *[and personnel]*;

[D./C. Faculty.

(I) *[Number of full-time and part-time faculty.] Plan for hiring full-time and part-time theory and clinical faculty. This shall include full-time equivalents, student to faculty ratios, and full-time to part-time faculty ratios to meet initial and increasing enrollment.*

(II) Position descriptions;

[E./D. Support services personnel.

(I) Number of full-time and part-time ancillary support services personnel.

(II) Position descriptions;

[F./E. Sponsoring institution.

(I) Evidence of authorization to conduct the program of practical nursing by the governing body of the sponsoring institution.

(II) Evidence of accreditation by an agency recognized by the United States Department of Education.

(III) *[Provision of administrative structure/organizational charts of the sponsoring institution and the nursing program.] Current organizational chart(s) illustrating the relationship of the program to the sponsoring institution and the faculty structure within the proposed program.*

(IV) Evidence of the financial stability and resources of the sponsoring institution and the program of nursing; and

[G./F. Facilities.

(I) Description of educational facilities to be used by the practical nursing program such as classrooms, library, offices, clinical skills laboratory, and other facilities.

(II) Description of planned or available learning resources to include such items as equipment, supplies, library services, computers, and technology.

(III) *[Description of proposed clinical sites that will provide appropriate educational experiences.] Letter(s) from potential clinical site; including a description of potential clinical sites, average daily patient census, and the ability to provide clinical placement to potential students in addition to those of existing nursing programs to meet program objectives and outcomes.*

(IV) A letter of intent from each proposed cooperating agency stating its ability to provide the appropriate educational experiences to meet program objectives and outcomes;

5. Site survey. Representatives from the board shall make an on-site survey to verify implementation of the proposal and compliance with 20 CSR 2200-3.050 through 20 CSR 2200-3.130; and

6. The board's decision to grant initial approval is contingent upon evidence from the site survey that the program is being implemented in compliance with 20 CSR 2200-3.050 through 20 CSR 2200-3.130. **Initial program approval contingent on the site survey shall remain active for no more than one (1) calendar year prior to program start.**

(C) Upon graduation of the program's first class and receipt of results of the National Council Licensure Examination for Practical Nurses (NCLEX-PN® examination), the board shall review the following:

1. The program's compliance with minimum standards during initial approval including the program's adherence to the approved proposal and changes authorized by the board;
2. Report of an on-site survey *[(if conducted)]*;
3. Report of the National Council Licensure Examination for Practical Nurses results (as per 20 CSR 2200-3.180(1));
4. Identification and analysis of class graduation rate; and *[,]*
5. Submission of program's ongoing **systematic** evaluation plan with available data.

(5) Full Approval Status.

(A) Annual *[Survey]* **Report**. Each program and each campus of each program shall complete and submit the board's annual survey *[prior to]* by the established deadline. Following review by the board, each program shall be notified of the board's action(s).

(B) A program's approval status shall be subject to review by the board if the required annual report is not received within thirty (30) days from the established deadline.

[(B)](C) On-Site Surveys. On-site surveys shall be made on a scheduled basis, at the direction of the board, or upon request of the nursing program. Each nursing program shall be surveyed typically at five- (5)-*[-]* year intervals. If the program is accredited by a national nursing accreditation agency, the nursing program may request that the on-site survey be scheduled in coordination with a national nursing accreditation agency visit. **Representatives of the board shall form a survey team to conduct each on-site survey. Each survey team shall consist of two (2) or more persons qualified to conduct on-site surveys. The program shall solicit public comments in preparation for each scheduled on-site survey. Evidence of solicitation of public comments shall be available for review during the on-site survey.**

[(C)](D) Additional Visits/Surveys. *[A representative]* **At least two (2) representatives** of the board shall make additional visits/surveys as deemed necessary by the board. A program may request additional visits.

(6) Conditional Approval Status.

(B) Should circumstances be such that instructional quality and integrity of the program is jeopardized, the board may impose a moratorium on student admissions.

[(B)](C) A program may be placed on conditional approval status if it has failed to meet or maintain the rules/regulations or requirements, or both, set by the board. The program will remain on conditional approval status until such time as the deficiencies are corrected to the satisfaction of the board.

[(C)](D) A program's approval may be withdrawn pursuant to section 335.071.3., RSMo, for noncompliance with minimum standards. A program which fails to correct identified deficiencies to the satisfaction of the board shall, after notice and hearing, be removed from the board's listing of approved programs.

AUTHORITY: *section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.010. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at*

nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
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PROPOSED AMENDMENT

20 CSR 2200-3.020 Discontinuing and Reopening Programs. The board is proposing to amend subsections (1)(A) and (B) and add new subsection (1)(G).

PURPOSE: *This amendment clarifies the requirements related to program closure.*

(1) Program Discontinuation.

(A) *A letter of intent/ plan for closure* shall be submitted to the board, at least six (6) months and, preferably, one (1) year prior to closing the program and shall include:

1. Closing date; and
2. Plans for completion of program for currently enrolled students.

(B) The plan for closure *[must]* shall be approved by the board prior to implementation.

(G) **A program closure summary indicating compliance with the requirements of this rule shall be submitted to the board no later than thirty (30) days after the actual date for program closure.**

AUTHORITY: *section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.020. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.*

PUBLIC COST: *This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.*

PRIVATE COST: *This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.*

NOTICE TO SUBMIT COMMENTS: *Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.*

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
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PROPOSED AMENDMENT

20 CSR 2200-3.030 Change in Sponsorship. The board is proposing to amend section (3).

PURPOSE: This amendment clarifies the rule by aligning the language used in this rule with language used in other rules within this chapter.

(3) Any proposed changes that affect the criteria included in 20 CSR 2200-3.010(4)(A)1.-4. *[must]* **shall** be approved by the board prior to implementation.

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.030. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.035 Multiple Campuses. The board is proposing to amend sections (3) and (4).

PURPOSE: This amendment clarifies the criteria for full-time faculty. It also clarifies the rule by aligning the language used in this rule with language used in other rules within this chapter.

(3) The sponsoring institution *[must]* **shall** submit a proposal as indicated in 20 CSR 2200-3.010(4)(A) and receive approval from the board before opening an additional campus. Each additional campus shall be surveyed.

(4) Each campus shall have a full-time faculty person designated as the coordinator who reports to the program administrator. **Each program coordinator shall meet the faculty requirements for appointment.**

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.035. Original rule filed March 25, 1993, effective Dec. 9, 1993. Amended: Filed Aug. 6, 1998, effective Feb. 28, 1999. Moved to 20 CSR 2200-3.035, effective Aug. 28, 2006. Rescinded and readopted: Filed April 17, 2007, effective Dec. 30, 2007. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.040 Program Changes Requiring Board Approval, Notification, or Both. The board is proposing to amend subsection (1)(C).

PURPOSE: This amendment clarifies the rule by aligning the language used in this rule with language used in other rules within this chapter.

(1) Board approval is required for changes of the following:

(C) Increase number of students by *[admission]* **enrollment** or transfer, by more than one (1) beyond the number approved by the board;

AUTHORITY: section 335.071, RSMo 2000, and section 335.036, RSMo [2000] Supp. 2012. This rule originally filed as 4 CSR 200-3.040. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.060 Administrator/Faculty. The board is proposing to amend sections (1)–(3).

PURPOSE: This amendment addresses requirements for nursing program administrators for board approval.

(1) Program Administrator.

(B) Criteria for Appointment[:]/—

1. Current *[undisciplined license to practice professional nursing in Missouri;]* **active licensure to practice professional nursing in Missouri; the candidate's license to practice professional nursing has never been disciplined in any jurisdiction;**

2. Baccalaureate or graduate degree in nursing that includes a clinical component. Any program administrator appointed to the position prior to December 9, 1993, is exempt from the requirement of having a Bachelor of Science in Nursing;

3. Academically and experientially qualified and maintains expertise in area of responsibility; and

4. Approved by the board prior to appointment. **Academic transcript(s) that reflects eligibility for the position shall be submitted to the board for approval prior to appointment.**

(C) **Program administrators with responsibility for two (2) or more nursing programs shall designate full-time faculty as program coordinators. The coordinator's workload shall allow time for day-to-day management of one (1) nursing program under the direction of the program administrator. Each program coordinator shall meet faculty requirements for appointment.**

(2) Nursing Faculty.

(B) Criteria for Appointment[:]/—

1. Current *[undisciplined license to practice professional nursing in Missouri;]* **active licensure to practice professional nursing in Missouri; the candidate's license to practice professional nursing has never been disciplined in any jurisdiction;**

2. Educational requirements[:]/—

A. Nursing faculty teaching in a practical nursing program shall have a minimum of a Bachelor of Science in Nursing degree with a clinical component; and

B. Nursing faculty appointed prior to January 1, 1999, are exempt from this requirement;

3. Academically and experientially qualified and maintain expertise in areas of responsibility; *[and]*

4. *[Approved by the board prior to appointment.]*

Contingent faculty approval may be granted if—

A. **The program meets requirements for full board program approval;**

B. **The program presents sufficient evidence that all options to fill the respective position with a candidate who meets academic requirements have been exhausted;**

C. **The candidate has current licensure to practice professional nursing in Missouri; the candidate's license to practice professional nursing has never been disciplined;**

D. **The candidate is experientially qualified and maintains expertise in areas of responsibility;**

E. **The candidate is projected to receive the required degree within twelve (12) calendar months of hire; and**

F. **Faculty approved on contingency shall work under the direction of a board-approved faculty; and**

5. **Academic transcript(s) shall be submitted to the board. Faculty candidates shall be approved by the board prior to appointment.**

(3) Responsibilities. The administrator and faculty of the program shall be responsible for, but not limited to[:]/—

(H) Maintenance of clinical and educational competencies in areas of instructional responsibilities. Professional competence activities may include nursing practice, continuing education, writing for publication, and/or participation in professional associations; *[and]* **evidence of ongoing professional competence related to specialty area instruction shall be maintained;**

(I) Participation in the development of program and institutional policies and decision making[:]/; **and**

(J) **Experienced faculty shall serve as assigned mentors for less seasoned and new faculty. Records of assigned mentors shall be maintained.**

AUTHORITY: section/s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.060. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will cost private entities approximately five thousand three hundred sixty dollars and eighty-five cents (\$5,360.85) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2200 - State Board of Nursing****Chapter 3 - Minimum Standards for Approved Programs of Practical Nursing****Proposed Rule - 20 CSR 2200-3.060 Administrator/Faculty**

Prepared January 2, 2013 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Estimate the number of entities by class which would likely be affected by the adoption of the proposed	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
43	Applicants for Program Administrator (Transcript @ \$10.00)	\$430.00
43	Applicants for Program Administrator (Postage @ \$0.45)	\$19.35
470	Applicants for Program Faculty (Transcript @ \$10.00)	\$4,700.00
470	Applicants for Program Faculty (Postage @ \$0.45)	\$211.50
Estimated Annual Cost of Compliance for the Life of the Rule		\$5,360.85

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The figures reported above are based on FY12 actuals.
2. There are a total of 47 practical nursing programs, with a total of 43 program administrators. Some of the administrators manage more than one program. The number of faculty is dependent upon the size of each program. On average, nursing programs employ ten faculty members.
3. It is anticipated that the total cost will recur for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.070 Physical Facilities. The board is proposing to add new paragraph (5)(B)1. and renumber the subsequent paragraphs.

PURPOSE: This amendment requires designated faculty time to manage skills lab resources.

(5) Clinical Skills Laboratory.

(B) Management of clinical skills laboratory shall include:

1. Designated faculty time to manage skills lab resources;

[1.]2. Budget allocation for equipment and supplies;

[2.]3. Plan for acquisition and maintenance of equipment and supplies; and

[3.]4. Policies and procedures governing the administration and the use of the clinical skills laboratory. These policies and procedures shall be in writing and available to students and faculty.

AUTHORITY: section 335.071, RSMo 2000, and section 335.036, RSMo [2000] Supp. 2012. This rule originally filed as 4 CSR 200-3.070. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.080 Clinical Sites. The board is proposing to amend section (1) by relettering sections (2) and (3) as subsections (1)(A) and (1)(B), add subsections (1)(C)–(1)(E), renumber section (4), and delete section (5).

PURPOSE: This amendment clarifies the direct patient care requirements to prepare students for safe practice.

(1) Clinical sites shall be selected which will provide direct care and observational learning experiences to meet the objectives of the course.

[(2)](A) Observational experiences shall provide learning experiences to meet the course objectives and shall not exceed twenty per-

cent (20%) of the total clinical program hours. Orientation to the facility does not contribute to the twenty percent (20%).

[(3)](B) Clinical simulation and clinical skills lab time is at the discretion of the nursing program.

(C) Direct patient care experiences shall be sufficient to achieve identified competencies as well as course and program outcomes.

(D) The ratio of faculty to students in the clinical area shall be designed to promote patient safety and to facilitate student learning.

(E) There shall be evidence of clinical orientation for each nursing course with a clinical component.

[(4)](2) Each program shall have written evidence of an agreement with each clinical site which includes time frames for a notification of termination and periodic review.

[(5) There shall be evidence of clinical orientation for each nursing course with a clinical component.]

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.080. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.085 Preceptors. The board is proposing to amend subsection (1)(D), add new section (3), renumber subsequent sections, amend new subsections (4)(E) and (F), and delete current section (4).

PURPOSE: This amendment clarifies the utilization of preceptors.

(1) Preceptors may be used as role models, mentors, and supervisors of students in practical nursing programs.

(D) Preceptors shall supervise no more than two (2) students *[at a time.]* during any given shift. Supervision by a preceptor means that the preceptor is present and available to the student(s) in the clinical setting.

(3) Responsibilities of preceptors shall include:

(A) Possess current license to practice as a registered professional or licensed practical nurse with at least one (1) year experience in the area of clinical specialty for which the preceptor is used;

(B) Perform the responsibilities as determined by the nursing program; and

(C) Provide written documentation to faculty regarding the student's performance in relation to meeting designated course objectives.

[(3)](4) Responsibilities of the nursing program faculty in regards to utilization of preceptors shall include:

(A) Select the preceptor in collaboration with the clinical site;

(B) Provide the preceptor with information as to the duties, roles, and responsibilities of the faculty, the student, and the preceptor including the communication processes;

(C) Provide the preceptor a copy of the objectives of the course in which the student is enrolled and directions for assisting the student to meet objectives specific to the clinical experience;

(D) Assume responsibility for each student's final evaluation and the assigning of a performance rating or grade;

(E) [Faculty shall b/Be readily available to students and clinical preceptors during clinical learning experiences; and

(F) [The designated faculty member s/ Shall meet periodically with the clinical preceptors and student(s) for the purpose of monitoring and evaluating learning experiences.

[(4) Responsibilities of the preceptor shall include:

(A) Possess current license to practice as a registered professional or licensed practical nurse with at least one (1) year experience in the area of clinical specialty for which the preceptor is used;

(B) Perform the responsibilities as determined by the nursing program; and

(C) Provide written documentation to faculty regarding the student's performance in relation to meeting designated course objectives.]

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.085. Original rule filed Aug. 6, 1998, effective Feb. 28, 1999. Moved to 20 CSR 2200-3.085, effective Aug. 28, 2006. Rescinded and readopted: Filed April 17, 2007, effective Dec. 30, 2007. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.090 Students. The board is proposing to move the current section (2) under section (1), renumber the current section

(3) to section (2), and renumber the current subsection (3)(D) to a new section (3).

PURPOSE: This amendment aligns terms to be congruent throughout the *Minimum Standards for Programs of Professional Nursing and Practical Nursing*.

(1) Admission, Readmission, and Transfer.

[(2)](G) Students for whom English is a second language shall meet the same general admission requirements as other students.

[(3)](2) Student Services.

(A) Housing. If the school provides housing for students, there shall be written policies governing the facilities.

(B) Health. If the school provides health services for students, there shall be information available regarding a process for accessing and obtaining health care.

(C) Academic Advisement and Financial Aid Services. Academic advisement and financial aid services shall be accessible to all students.

[(D)](3) [Grievance] **Appeal** Procedure. Policies and procedures which afford students due process shall be available for managing academic and nonacademic [grievances] **appeals**. Due process for student [grievances] **appeals** shall include the providing of written notice of all decisions affecting an individual student[,]. [an opportunity for the student to contest those decisions either in writing or in person, the] **An** opportunity to contest facts serving as the basis for [the] decisions[,], and the [opportunity] **opportunities** to appeal [the] decisions to a **higher** level [higher] than the original decision maker **shall be included**.

AUTHORITY: section[s 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.090. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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**Title 20—DEPARTMENT OF INSURANCE,
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.100 Educational Program. The board is proposing to amend sections (1)–(5).

PURPOSE: This amendment clarifies requirements relating to curriculum and clinical learning. The amendment also sets forth professional standards, guidelines, and competencies.

(1) General Purpose.

(B) *[Graduate competencies shall be derived from the philosophy and/or mission of the program.]* The curriculum incorporates established professional standards, guidelines, and competencies with clearly stated objectives, graduate competencies, and program outcomes.

(D) The educational program shall provide clinical education to facilitate transition to practice as a practical nurse.

(2) Curriculum Organization and Development.

(B) There shall be a written curriculum plan *[which reflects the program's philosophy and/or mission and objectives and shall be logically consistent between and within courses]* that is logically structured to achieve expected individual and aggregate student outcomes.

(C) Curriculum design of programs of practical nursing shall foster seamless articulation toward a program of professional nursing.

[(C)](D) The curriculum shall be planned so that the number of hours/credits/units of instruction are distributed between theory and clinical hours/credits/units to permit achievement of graduate competencies and program outcomes.

[(D)](E) Curriculum shall be planned so that each division of the curriculum (whether it be a quarter, term, or semester) has a reasonably equal number of credit hours of instruction and has a beginning and ending date.

[(E)](F) *[The length of the program shall be no less than ten (10) months of instruction]* The number of credit hours required for completion of the nursing program shall not exceed the number of credit hours required for a comparable degree program.

[(F)](G) Student learning experiences shall be directed and evaluated by the faculty and be consistent with the curriculum plan.

(3) Curriculum Requirements. *[There shall be a general written plan for the total curriculum which will show the courses taught, sequence, correlation and integration of classroom and clinical instruction.]* Content may be developed as a separate course or integrated. Integrated concepts shall be evident in the course objectives. Instruction shall be *[proved]* provided in the following areas:

(B) Social and Behavioral Sciences. Content from these sciences shall include concepts of:

1. Communication;
2. Interpersonal relations;
3. *[Cultural diversity; and]* Culturally and spiritually sensitive care;

4. Patient involvement in decision making and care management; and

5. Promotion of healthy lifestyles for patients and populations;

[(4)](C) Growth and development/life span;

[(C)](D) Nursing Science. Theory and clinical instruction in nursing shall be based on the nursing process and encompass the promotion, maintenance, and restoration of physical and mental health and the prevention of illness for individuals and groups throughout the life cycle. Content shall enable the student to develop competency in each of the following areas:

1. Fundamentals of nursing;
2. Nursing of adults;
3. Nursing of children;
4. Nursing of the elderly;
5. Maternal and newborn nursing;
6. Mental health concepts;
7. Administration of medications;
8. IV *[T]*therapy;
9. Leadership/management concepts, to include coordinating and managing continuous patient care;
10. Evidence-based practice; *[and]*

11. Patient-centered care~~[/]~~, to include respect for patient differences, values, preferences, and expressed needs;

12. Patient safety;

13. Quality of care; and

14. Use of information technology to communicate, manage knowledge, mitigate error, and support decision making;

[(D)](E) Personal and vocational concepts shall exist as a discrete course in the curriculum and include the following content:

1. Ethical and legal aspects of nursing;
2. Nursing history and trends; *[and]*
3. Role of the practical and professional nurse~~[/]~~;
4. Inter-professional approach to patient care; and
5. Quality improvement processes; and

(F) External nursing examinations, if used, shall not be used solely for program progression or graduation.

(4) Syllabus Construction. *[Course s/Syllabi shall be current and available to all faculty, ~~[and]~~ students, and cooperating agencies. Each syllabus shall include:*

(A) *[The objectives of each course]* Course description;

(B) Course objectives;

[(B)](C) *[The t/Teaching[/] or learning strategies [to be used];*

[(C)](D) Evaluation methodologies; *[and]*

(E) Grading scale;

[(D)](F) Course policies~~[/]~~; and

(G) Clock or credit hour requirements related to theory, lab, and clinical instruction.

(5) Distance Education. Courses/programs of study that utilize distance education shall have~~[-]~~—

(D) Clinical courses *[must]* shall be faculty *[directed]* supervised and include direct patient care activities with faculty oversight;

(E) Learning and technology resources, *[including library access]* to include library resources, that are selected with input of the faculty and are comprehensive, current, and accessible to faculty and students;

AUTHORITY: section 335.071, RSMo 2000, and section 335.036, RSMo [2000] Supp. 2012. This rule originally filed as 4 CSR 200-3.100. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
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**Division 2200—State Board of Nursing
Chapter 3—Minimum Standards for Approved
Programs of Practical Nursing**

PROPOSED AMENDMENT

20 CSR 2200-3.110 Records. The board proposes to amend paragraph (1)(B)2. and add a new section (3).

PURPOSE: This amendment eliminates the requirement to post name and location of the credit-granting institution. It adds a new requirement of password protection for electronically stored student records.

(1) Transcripts.

(B) The official transcript shall identify the following:

1. Date of admission, date of separation from the program, [and] hours/credits/units earned, and the diploma/degree awarded; and

2. Transferred credits, including course titles[,] and credits earned[, and the name and location of the credit-granting institution]. Name and location of the credit-granting institution shall be maintained as part of graduate records.

(3) Compliance with the Family Education Rights and Privacy Act (FERPA) and any applicable regulations shall be strictly maintained.

AUTHORITY: section[s] 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.110. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 3—Minimum Standards for Approved Programs of Practical Nursing

PROPOSED AMENDMENT

20 CSR 2200-3.120 Publications. The board is proposing to amend subsections (4)(D) and (4)(H).

PURPOSE: This amendment aligns terms to keep language congruent with other sections in this chapter.

(4) The following information shall be available to the student in writing upon entry:

(D) Faculty roster with [qualifications] credentials;

(H) [Due process] Appeal policies and procedures.

AUTHORITY: section[s] 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.120. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

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Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 3—Minimum Standards for Approved Programs of Practical Nursing

PROPOSED AMENDMENT

20 CSR 2200-3.130 Program Evaluation. The board is proposing to amend the purpose and sections (1)–(3).

PURPOSE: This amendment clarifies expectations of the systematic program evaluation process.

PURPOSE: This rule provides for evaluation of the practical nursing program by [both] faculty, [and] students, and coordinating agencies.

(1) There shall be a written plan for systematic evaluation of all aspects of the program that includes student objectives, graduate competencies, and program outcomes. [The plan shall include:] The systematic evaluation of the program will document the following:

(B) Methods of evaluation; [and]

(C) Person(s) responsible for the evaluation[.];

(D) Program-specific benchmarks;

(E) Actual outcomes with trended data; and

(F) Program planning and improvement based on analysis of the benchmarks and actual outcomes.

(2) [The s/Systematic evaluation [plan provides for the] of the program shall include evaluation of the following:

(A) Student achievement of program outcomes;

(B) Adequacy of program resources to include, but not limited to, fiscal, human, and technical learning resources;

(C) Clinical experiences to include, but not limited to, evaluation of:

[(A)]1. Clinical sites by students and faculty;

[(B)]2. Course and faculty by students; and

[(C)]3. Students and faculty by representative(s) of clinical site(s); and

(D) [Program preparation for nursing employment by graduate nurses,] Multiple measures of program outcomes to include, but not limited to, National Council Licensure Examination (NCLEX) pass rates, graduation and job placement rates, and graduate/employer satisfaction with program preparation for new graduates at six (6) months or more[,] after graduation.

(3) Documentation shall indicate that [the systematic evaluation plan] data collected through systematic evaluation has been utilized

in the planning and improvement of the program.

AUTHORITY: section[s] 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.130. Original rule filed Jan. 29, 1974, effective Feb. 8, 1974. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2200—State Board of Nursing Chapter 3—Minimum Standards for Approved Programs of Practical Nursing

PROPOSED AMENDMENT

20 CSR 2200-3.180 Licensure Examination Performance. The board is proposing to amend sections (2) and (3).

PURPOSE: This amendment clarifies requirements for the plan of correction.

(2) First-time candidates [will] shall include only those graduates of the program who take the licensure examination for the first time within one (1) year of graduation.

(3) The nursing program with a pass rate lower than eighty percent (80%) [will] shall:

(A) First year—Provide the board with a report analyzing all aspects of the education program, identifying areas contributing to the unacceptable pass rate and plan of [action] correction to resolve low pass rate[;]. The plan of correction shall include:

1. Mission or philosophy of the nursing program;
2. Program governance as defined in 20 CSR 2200-3.050(5);
3. General faculty resources and workload;
4. Student support services;
5. Program admission, progression, and graduation policies;
6. Program graduation rates for the last five (5) years;
7. National Council Licensure Examination for Practical Nurses (NCLEX-PN®) pass rates for the last five (5) years;
8. Job placement rates for the last five (5) years;
9. Program satisfaction, to include student, graduate, and employer data;
10. Number of nursing faculty teaching on full-time and part-time basis; to include adjunct clinical faculty and faculty on contingent approval; and
11. Use of systematic program evaluation data related to program planning and improvement;

(B) Second consecutive year—The program may be placed on conditional approval status. The program administrator will be required to appear before and present to the board a[n] current analysis of

program effectiveness, problems identified, and plans of correction[.]; [Program effectiveness may include evidence of:

1. Class graduation rates;
2. National Council Licensure Examination for Practical Nurses (NCLEX-PN®) pass rates;
3. Student satisfaction;
4. Graduate satisfaction;
5. Job placement rates; and
6. Employer satisfaction;]

(C) Side-by-side comparison of first-year and second-year analyses of program effectiveness shall be included;

[(C)](D) The nursing program placed on conditional approval shall remain on [“]conditional approval[”] (as per 20 CSR 2200-3.010(6)) until it has two (2) consecutive years of pass rates of at least eighty percent (80%) or until the board removes approval pursuant to section 335.071.3., RSMo; and

[(D)](E) If, after two (2) years of conditional approval, a [school] nursing program has not demonstrated consistent measurable progress toward implementation of the correction plan and NCLEX-PN® pass rates remain below eighty percent (80%), the board [will] shall withdraw approval pursuant to section 335.071.3., RSMo.

AUTHORITY: section[s] 335.036 and] 335.071, RSMo 2000, and section 335.036, RSMo Supp. 2012. This rule originally filed as 4 CSR 200-3.180. Original rule filed Sept. 1, 1998, effective Feb. 28, 1999. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 11, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Nursing, Lori Scheidt, Executive Director, PO Box 656, Jefferson City, MO 65102, by fax at (573) 751-0075, or via email at nursing@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2220—State Board of Pharmacy Chapter 2—General Rules

PROPOSED RULE

20 CSR 2220-2.017 Non-Electronic (Manual) Prescription Records

PURPOSE: This rule establishes requirements for non-electronic (manual) prescription record keeping.

(1) Pharmacies that maintain a non-electronic prescription record system shall maintain the following information in its system for each original and refilled prescription:

- (A) The date the prescription was prescribed and the date of initial dispensing, if different;
- (B) A unique, sequential prescription label number;
- (C) If applicable, a unique readily retrievable identifier;
- (D) The name of the patient(s), or if an animal, species and owner's name;

(E) The prescriber's name, if an oral prescription, signature if a written or faxed prescription;

(F) Name, strength, and dosage, form of drug, device, or poison dispensed and the directions for use;

(G) The number of refills authorized;

(H) The quantity dispensed in weight, volume, or number of units;

(I) The date of refill, if any;

(J) The identity of the pharmacist responsible for reviewing the accuracy of data on each original prescription and each refill;

(K) The identity of the pharmacist responsible for verifying the final product prior to dispensing, if different from the pharmacist responsible for reviewing the accuracy of data;

(L) Whether generic substitution has been authorized by the prescriber;

(M) Any change or alteration made to the prescription dispensed based on contact with the prescriber to show a clear audit trail. This shall include, but is not limited to, a change in quantity, directions, number of refills, or authority to substitute a drug;

(N) The address of the prescriber and the patient when the prescription is for a controlled substance;

(O) The prescriber's Drug Enforcement Administration (DEA) number when the prescription is for a controlled substance; and

(P) Any prescription, when it is for a controlled substance, must comply with all requirements of federal and state controlled substance laws.

(2) The information specified in section (1) shall be required and recorded on all prescriptions prior to dispensing by a pharmacist/pharmacy.

(3) Prescription hard copies must be maintained and filed sequentially by the prescription label number or a unique readily retrievable identifier. Except as otherwise provided by 20 CSR 2220-2.010(1)(J), prescription hard copies shall be retrievable at the time of inspection.

AUTHORITY: sections 338.095, 338.100, 338.140, and 338.240, RSMo Supp. 2012, and section 338.280, RSMo 2000. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2220-2.018 Prescription Requirements. The board is amending section (1) of this rule and deleting section (2).

PURPOSE: This board is amending this rule to remove requirements related to manual record-keeping systems and to clarify required prescription information.

(1) *[In order for a prescription to]* **To** be valid for purposes of dispensing *[a medication by a pharmacy, it must], a prescription shall conform to all requirements [as outlined in] of sections 338.056 or 338.196, RSMo, and shall contain the following information:*

(A) *[The prescription date and a unique, readily retrievable identifier;]* **The date of prescribing;**

(B) The name of the patient(s), **or if an animal, species and owner's name;**

(C) The prescriber's name, if an oral prescription, **or** signature if a written **or faxed** prescription;

(D) *[Any prescriber indication of name and dosage of drug, directions for use, name and dosage of drug dispensed]* **Name, strength and dosage form of drug, device or poison prescribed and the directions for use;**

(E) The number of refills, *[when]* **if** applicable;

(F) The quantity *[dispensed]* **prescribed** in weight, volume, or number of units;

(G) *[The initials or name of the pharmacist responsible for processes in dispensing or compounding of the prescription]* **An indication of whether generic substitution has been authorized by the prescriber, as required by section 338.056, RSMo;**

(K) *[Any prescription, when it is for a controlled substance, must]* **Controlled substance prescriptions shall also** comply with all requirements of federal and state controlled substance laws.

[(2) The information specified in section (1) shall be required and recorded on all handwritten, telephone, oral and electronically produced prescriptions that are processed for dispensing by a pharmacist/pharmacy.]

AUTHORITY: sections 338.095, 338.100, 338.140, and 338.240, RSMo Supp. 2012, and section 338.280, RSMo 2000. This rule originally filed as 4 CSR 220-2.018. Original rule filed May 4, 1995, effective Dec. 30, 1995. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION**

**Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RESCISSION

20 CSR 2220-2.030 Educational and Licensing Requirements. This rule outlined requirements for internship standards and training,

exam scoring procedures, procedures for examination score transfer and licensure transfer, and defined accredited colleges.

PURPOSE: This rule is being rescinded and readopted into 20 CSR 2220-7.010, 20 CSR 2220-7.025, 20 CSR 2220-7.027, 20 CSR 2220-7.030, 20 CSR 2220-7.050 and 20 CSR 2220-7.060. The board is proposing to move all licensing provisions to a new chapter in order to provide clarity to the licensing process.

AUTHORITY: sections 338.020, 338.040, 338.070, 338.140, and 338.280, RSMo 2000 and sections 338.030 and 338.035, RSMo Supp. 2007. This rule originally filed as 4 CSR 220-2.030. This version of rule filed July 18, 1962, effective July 28, 1962. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RESCISSION

20 CSR 2220-2.032 Licensure by Examination for Graduates of Nonapproved Foreign Pharmacy Schools. This rule defined requirements for licensure by examination of applicants who are graduates of foreign colleges/schools of pharmacy not approved by the board as outlined in 20 CSR 2220-2.030(1).

PURPOSE: This rule is being rescinded and readopted into 20 CSR 2220-7.040. The board is proposing to move all licensing provisions to a new chapter in order to provide clarity to the licensing process.

AUTHORITY: sections 338.020, 338.030, and 338.140, RSMo 2000. This rule originally filed as 4 CSR 220-2.032. Original rule filed Oct. 16, 1985, effective Feb. 24, 1986. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, com-

ments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RESCISSION

20 CSR 2220-2.034 Licensure by Reciprocity for Graduates of Nonapproved Foreign Pharmacy Schools Who Have Been Licensed in Another State. This rule defined requirements for licensure by reciprocity of applicants who are graduates of foreign colleges/schools of pharmacy not approved by the board as outlined in 4 CSR 220-2.030(1) who have been licensed in another state.

PURPOSE: This rule is being rescinded and readopted into 20 CSR 2220-7.050. The board is proposing to move all licensing provisions to a new chapter in order to provide clarity to the licensing process.

AUTHORITY: sections 338.020 and 338.030, RSMo Supp. 1990. This rule originally filed as 4 CSR 220-2.034. Original rule filed Oct. 16, 1985, effective Feb. 24, 1986. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RESCISSION

20 CSR 2220-2.036 Temporary License. This rule defined requirements to obtain a temporary license to practice pharmacy for persons completing residency programs.

PURPOSE: This rule is being rescinded and readopted into 20 CSR 2220-7.070. The board is proposing to move all licensing provisions to a new chapter in order to provide clarity to the licensing process.

AUTHORITY: section 338.140, RSMo 2000 and section 338.043, RSMo Supp. 2007. This rule originally filed as 4 CSR 220-2.036. Original rule filed May 24, 1993, effective Dec. 9, 1993. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED AMENDMENT

20 CSR 2220-2.080 Electronic [Data Processing] Prescription Records. The board is amending sections (1)–(15).

PURPOSE: This rule is being amended to update and clarify electronic record-keeping requirements and to implement the provisions of SB 754 enacted in 2010.

(1) In lieu of a non-electronic (manual) record-keeping system, a pharmacy may elect to maintain an electronic data processing (EDP) record-keeping system. All information concerning the compounding, dispensing, or selling at retail of any drug, [medicine] device, or poison pursuant to a lawful prescription which is entered into an [electronic data processing (EDP)] EDP system at any pharmacy shall be entered only by a licensed pharmacist or by [an individual] a technician or intern pharmacist under the direct supervision and review of a licensed pharmacist. [That] A pharmacist shall be personally responsible for the accuracy of the information. The EDP system shall comply with all applicable state and federal controlled substance laws and regulations.

(2) [Any EDP system used by any pharmacy for record keeping] EDP systems shall comply with the requirements of section 338.100, RSMo, [including the capability to store and retrieve] and shall be capable of storing and retrieving the following information concerning the original filling or refilling of any prescription:

[(A) A prescription label number that is linked to the unique readily retrievable identifier;

(B) Date of original prescription, expiration date of the prescription or both;

(C) Date original prescription was filled;

(D) Patient's full name;

(E) Patient's address when a prescription prescribes a controlled substance;

(F) Prescriber's full name;

(G) Prescriber's address and Drug Enforcement Administration (DEA) number when a prescription specifies a controlled substance;

(H) Name of drug, medicine or poison dispensed;

(I) Quantity of drug, medicine or poison originally dispensed;

(J) Quantity of drug, medicine or poison dispensed on each refill;

(K) Initials or code of the pharmacist responsible for input or review of data on each original prescription and each refill;

(L) Date of each refill; and

(M) If a new prescription is transmitted by phone, a hard copy representation must be made and contain all of the information in subsections (2)(A)–(L) plus an indication of whether or not a generic substitution is permitted and made in accordance with 4 CSR 220-3.011.]

(A) A unique, sequential prescription label number;

(B) If applicable, a unique readily retrievable identifier;

(C) Date the prescription was prescribed;

(D) The date the prescription was initially filled and the date of each refill;

(E) Patient's full name, or if an animal, the species and owner's name;

(F) Patient's address or animal owner's address when a prescription prescribes a controlled substance;

(G) Prescriber's full name;

(H) Prescriber's address and Drug Enforcement Administration (DEA) number when a prescription specifies a controlled substance;

(I) Name, strength and dosage form of drug, device or poison dispensed and any directions for use;

(J) Quantity originally dispensed;

(K) Quantity dispensed on each refill;

(L) Identity of the pharmacist responsible for inputting and verifying the accuracy of prescription data on each original prescription and each refill;

(M) Identity of the pharmacist responsible for reviewing the final product prior to dispensing, if different;

(N) The number of authorized refills and quantity remaining;

(O) Whether generic substitution has been authorized by the prescriber;

(P) The manner in which the prescription was received by the pharmacy (e.g., written, telephone, electronic, or faxed); and

(Q) Any other change or alteration made in the original prescription based on contact with the prescriber to show a clear audit trail. This shall include, but is not limited to, a change in quantity, directions, number of refills, or authority to substitute a drug.

(3) The information specified in section (2) shall be required and recorded in the EDP system prior to dispensing by a pharmacist or pharmacy.

[(3)](4) Except as otherwise provided by 20 CSR 2220-2.083, [P]rescription hard copies must be maintained and filed by either the sequential prescription label number or by [the] a unique readily retrievable identifier. For verbal, telephone, or electronic data transmission prescriptions, a hard copy representation of the prescription shall be made and filed which contains all of the information in section (2). Prescription hard copies must be retrievable at the time of inspection, except as otherwise provided by 20 CSR 2220-2.010(1)(J). For purposes of this subsection an "electronic data transmission prescription" shall be defined as provided in 20 CSR 2220-2.085.

[(4)] Any pharmacy using an EDP system as described in section (1) shall provide documentation that the information concerning the refills of prescriptions entered into the system for all prescription drugs is accurate. This documentation shall include:

(A) The initials or code designation of the dispensing pharmacist for each refill;

(B) The date of the refill;

(C) The quantity of substances refilled;

(D) The number of authorized refills or dispensable units remaining;

(E) If additional refills are authorized and added to an existing prescription, a notation indicating the method and source of the authorization must be a part of the EDP record or hard copy, in that case the expiration date of the original prescription shall remain the same; and

(F) If any other alteration is made in the original prescription record, a clear audit trail must be maintained. This shall include, but is not limited to, a change in authorizing physician, a change in total quantity ordered, or a change in directions.]

(5) If additional refills are authorized and added to a prescription, a notation indicating the method and source of the authorization must be a part of the EDP record or hard copy, in that case the expiration date of the original prescription shall remain the same.

[(5)](6) Any pharmacy using an EDP system *[as described in section (1)]* shall maintain the following:

[A)] shall provide documentation that prescription information entered into the system for all prescription drugs is accurate. A pharmacy shall maintain [A] a bound logbook or separate file in which each pharmacist involved in the pharmacy's record-keeping system shall sign a statement each day attesting that information concerning the [refill of] dispensing of all prescriptions has been entered into the EDP system for that day and that the pharmacist has reviewed the information for accuracy. The logbook or file shall be maintained at the pharmacy for at least five (5) years after the date the drugs, [medicines] devices, or poisons are dispensed.

[(6)](7) Any hospital pharmacy **licensed by the board** using an EDP system, as described in section (1), for outpatient prescriptions, employee prescriptions, and take-home prescriptions shall conform to all sections of this rule.

[(7)](8) Any EDP system~~], as described in section (1),~~ must be capable of producing the record required *[in subsections (2)(A)–(M)]* **by this rule** and said records shall be readily retrievable on~~[-]line~~. Readily retrievable is defined as providing EDP records *[within two (2) hours of time]* **immediately or within one (1) hour** of a request by an inspector or by making a computer terminal available to the inspector for immediate use.

[(8)](9) An auxiliary record-keeping system shall be established for the documentation of refills if the EDP system is inoperative for any reason. The auxiliary system shall *[insure]* **ensure** that all refills are authorized by the original prescription or prescriber. When this EDP system is restored to operation, the information regarding prescriptions filled and refilled during the inoperative period shall be entered into the EDP system within seven (7) working days. However, nothing in this section shall preclude the pharmacist from using his/her professional judgment for the benefit of a patient's health and safety.

[(9)](10) If a prescription is transferred from a pharmacy using an EDP system, a notation or deactivation must be made on the transferred record to preclude any further dispensing. If the same prescription is transferred back into the original pharmacy, it shall be treated as a new record, showing the original date written and expiration date.

[(10)](11) Prior to or simultaneously with the purging of any EDP system, the *[pharmacist-in-charge or]* permit holder shall make certain that a record of all prescription activity being erased exists in readable form, either on paper, microfiche, or electronic media storage. A pharmacy that desires to discard hard copy prescriptions that are more than three (3) years old must maintain all prescription information on microfiche or electronic media. Any process utilizing microfiche must ensure that all data is available and in readable form.

Any pharmacy opting for the utilization of microfiche records must also maintain a microfiche reader so that records may be reviewed on-site by pharmacy personnel or board inspectors. Electronic media storage is defined as any medium such as a computer, floppy disk or diskette, compact disk (CD), or other electronic device that can reproduce all prescription information as required by section 338.100, RSMo, and this rule and is retrievable within three (3) working days.

[(11)](12) If coded information exists in the electronic EDP, the board inspector may request the definitions of the codes from the pharmacist on duty for immediate review.

[(12)](13) The EDP system shall be able to provide a listing of drug utilization for any drug for a minimum of the preceding *[twelve (12)-month period]* **twenty-four- (24-) month period**. Drug utilization information shall be available by **date(s)**, specific drug product, patient name, or practitioner. If requested to do so, the pharmacy shall have three (3) working days to provide the report.

[(13)](14) The provisions of this rule shall not conflict with any federal laws or regulations. If any part of this rule is declared invalid by a court of law, that declaration shall not affect the other parts of the rule.

(15) Licensees shall also comply with all state and federal controlled substance record-keeping requirements.

AUTHORITY: sections 338.100[,], and 338.140, RSMo Supp. 2012, and section 338.280, RSMo 2000. This rule originally filed as 4 CSR 220-2.080. Original rule filed March 8, 1984, effective Aug. 11, 1984. For intervening history, please consult the Code of State Regulations. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

Title 20—DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

Division 2220—State Board of Pharmacy Chapter 2—General Rules

PROPOSED RULE

20 CSR 2220-2.083 Electronic Record-Keeping Systems

PURPOSE: The purpose of this rule is to establish requirements and guidelines for maintaining prescription hard copies in an electronic record-keeping system.

(1) In lieu of maintaining the original prescription hard copy or a hard copy representation as required by 20 CSR 2220-2.018 or 20 CSR 2220-2.080, a pharmacy shall be authorized to maintain an exact digitized image of the prescription in an electronic record-keeping system

(ERS). For purposes of this rule, an electronic record-keeping system is defined as a system maintained by the pharmacy that provides input, storage, processing, communications, output, and control functions for digitized images of original prescriptions. Any alterations to the digitized original prescription shall be documented as required by 20 CSR 2220-2.018 or 20 CSR 2220-2.080, as applicable.

(2) Controlled substance hard copy prescriptions shall be maintained as required by applicable state and federal law.

(3) Digitized prescription images shall be readily retrievable by the pharmacy. Readily retrievable shall be defined as providing records immediately or within two (2) hours of a request of the inspector or by making a computer terminal available to the inspector for immediate use. An ERS system shall be capable of printing and retrieving the digitized prescription image at the time of inspection, including the reverse side of the prescription if applicable. Any printout of a digitized prescription image provided by a licensee/registrant to the patient or the patient's representative shall be conspicuously marked with the statement "Copy Only – Not Valid for Dispensing Purposes."

(4) Pharmacies maintaining an ERS shall establish written policies and procedures for the use of the ERS which shall include policies and procedures for reviewing compliance with the requirements of this rule and for storing, retrieving, and recovering digitized images. The policy and procedure manual shall be reviewed annually and shall be available to representatives of the board upon request.

(5) All digitized images in the ERS shall be stored, copied, or saved onto secure storage media on a regular basis in a manner that will allow image recovery in the event of a disaster, system interruption, or system failure.

AUTHORITY: sections 338.100 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RESCISSION

20 CSR 2220-2.100 Continuing Pharmacy Education. This rule defined continuing education requirements for relicensure of pharmacists in Missouri.

PURPOSE: This rule is being rescinded and readopted into 20 CSR 2220-7.080. The board is proposing to move all licensing provisions to a new chapter in order to provide clarity to the licensing process.

AUTHORITY: sections 338.060 and 338.140, RSMo 2000. This rule originally filed as 4 CSR 220-2.100. Original rule filed Nov. 9, 1984, effective April 11, 1985. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 2—General Rules**

PROPOSED RESCISSION

20 CSR 2220-2.450 Fingerprint Requirements. This rule established guidelines for the submission of fingerprint cards for applicants for licensure.

PURPOSE: This rule is being rescinded and readopted into 20 CSR 2220-7.090. The board is proposing to move all licensing provisions to a new chapter in order to provide clarity to the licensing process.

AUTHORITY: sections 338.140 and 338.280, RSMo 2000. This rule originally filed as 4 CSR 220-2.450. Original rule filed Jan. 6, 1997, effective July 30, 1997. For intervening history, please consult the *Code of State Regulations*. Rescinded: Filed Jan. 10, 2013.

PUBLIC COST: This proposed rescission will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rescission will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rescission with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.010 General Licensing Rules

PURPOSE: This rule defines terms used and general requirements governing board licensing activities as used in Chapter 7.

(1) Definitions.

(A) ACPE—Accreditation Council for Pharmacy Education.

(B) Accredited school/college of pharmacy—a school or college of pharmacy accredited by ACPE.

(C) Approved school/college of pharmacy—a Missouri school or college of pharmacy whose curriculum, physical equipment, course of instruction, and teaching personnel conform to ACPE standards and specifications and that has been recognized by the board as an approved school/college for pharmacy practice experience pursuant to 20 CSR 2220-7.027.

(D) Board—the Missouri State Board of Pharmacy.

(E) Foreign school/college—a school/college of pharmacy that is not located in the United States or a United States territory.

(F) MPJE—Multistate Pharmacy Jurisprudence Examination.

(G) NABP—National Association of Boards of Pharmacy.

(H) NAPLEX—North American Pharmacist Licensure Examination.

(2) An application shall not be considered filed if it has to be returned to the applicant for an incorrect or missing fee, an incomplete or missing college affidavit, or an incomplete or missing signature or notarization. In this instance, the application will be returned to the applicant and will not be deemed filed until it has been returned with all corrections made. An application shall be deemed invalid if the applicant fails to submit all information required to complete the application within six (6) months after the application is received by the board.

(3) No duplicate license or registration shall be issued except upon the return of the original or upon an affidavit from the licensee that the certificate has been lost, stolen, or destroyed. The duplicate certificate, license, or registration fee shall accompany the affidavit.

(4) Except as otherwise provided, all licensing and registration fees required by the rules of the board are nonrefundable.

(5) A copy of proof of licensure/registration from the board's official website may be used as proof of licensure by an applicant until a hard copy license/registration has been received from the board.

(6) Failure to receive a renewal notice or application from the board shall not excuse the licensee/registrant from any renewal requirements established by Chapter 338, RSMo, or by rule of the board.

(7) Except as otherwise determined by the board, a pharmacist applicant shall be eligible for a temporary authorization letter to practice pharmacy pending final board approval of the applicant's pharmacist license if the applicant has submitted a complete pharmacist application to the board and has successfully passed all required examinations (NAPLEX and/or MPJE).

(A) Applicants not eligible for a temporary authorization letter may apply for a technician registration pursuant to the rules of the board. Applicants working as a technician shall be under the direct supervision of a licensed pharmacist at all times when any functions related to section 338.010, RSMo, are performed and shall comply with all Missouri requirements for pharmacy technicians.

(B) Applicants required to apply for a technician registration will not be required to provide fingerprints if all fingerprinting requirements have previously been fulfilled and the fingerprints were submitted less than six (6) months before the board's receipt of the application for technician registration.

AUTHORITY: sections 338.020, 338.040, 338.070, and 338.280, RSMo 2000, and sections 338.030, 338.043, and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will have a net increase for state agencies or political subdivisions of approximately two thousand seven hundred three dollars (\$2,703) to two thousand seven hundred seventy-three dollars (\$2,773) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately three thousand eight hundred twenty-four dollars (\$3,824) annually for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.010 General Licensing Rules

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Annual

Affected Agency or Political Subdivision	Net Effect
Board of Pharmacy	\$2,703.03 to \$2,772.94
	Total Annual Increase for the Life of the Rule \$2,703.03 to \$2,772.94

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Duplicate License Fee \$20.00	187	\$3,740.00
	Total Annual Revenue for the Life of the Rule		\$3,740.00

Annual Costs

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	15 minutes	\$4.45 to \$4.83	187	\$832.42 to \$902.33
					Total Personal Service Costs			\$832.42 to \$902.33

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Duplicate License Packet	\$0.72	187	\$134.64
Total Expense and Equipment Costs			\$134.64

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on this process.
2. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. Estimated costs are based on the average number of duplicate license requests received by the board annually for all licensure classifications subject to the rule (pharmacists, intern pharmacists and pharmacy technicians).
4. The board anticipates that the number of duplicate requests will decrease as the board expands online services.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual costs incurred by the office, which includes personal service, expense and equipment, and transfers.

PRIVATE FISCAL NOTE**I. RULE NUMBER****Title 20 - Department of Insurance, Financial Institutions and Professional Registration****Division 2220 - Missouri Board of Pharmacy****Chapter 7 - Licensing****Proposed Rule - 20 CSR 2040-7.010 General Licensing Rules**

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
187	Duplicate License Fee \$20.00	\$3,740.00
187	Postage \$0.45	\$84.15
	Estimated Annual Cost of Compliance for the Life of the Rule	\$3,824.15

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Estimated costs are based on the average number of duplicate license requests received by the board annually for all licensure classifications subject to the rule (pharmacists, intern pharmacists and pharmacy technicians).
3. The board anticipates that the number of duplicate requests will decrease as the board expands online services.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.025 Intern Pharmacist Licensure

PURPOSE: This rule establishes requirements for intern pharmacist licensure and pharmacy practice experience.

(1) The provisions of this rule shall be applicable to individuals seeking to earn pharmacy practice experience in Missouri.

(2) Requirements for Licensure. Every person who desires to gain pharmacy practice experience in Missouri shall first apply for an intern pharmacist license. Application for licensure shall be made on forms provided by the board and shall be accompanied by the application fee. To be eligible for licensure, the applicant shall—

(A) Be currently enrolled in or graduated from a school or college of pharmacy that is accredited by the Accreditation Council for Pharmacy Education (ACPE); and

(B) Submit proof of fingerprinting as required by 20 CSR 2220-7.090.

(3) Site/Preceptor Approval. After licensure, an intern pharmacist shall only be authorized to earn pharmacy practice experience in a site approved by the board and under the supervision of a board-approved preceptor. Requests for site and preceptor approval shall be submitted on a form provided by the board. The board may request additional information, interview program participants, or complete site inspections before a decision on an application is made. The intern pharmacist will receive confirmation from the board office noting approval of the site and preceptor and a start date after which pharmacy practice experience may be counted. In no event shall an intern pharmacist be credited for hours earned prior to being licensed by the board as an intern pharmacist.

(A) Site Approval. The board shall only approve a site for pharmacy practice experience if the site holds a pharmacy license from a United States (U.S.) state or territory and such license is not under disciplinary action with the licensing entity.

(B) Special Sites. An individual or entity/facility may petition the board to approve an entity/facility that is not a licensed pharmacy for purposes of intern training as a special site if the pharmacy practice experience to be earned complies with 20 CSR 2220-7.030(1)(A)3. Requests shall be made on a form provided by the board and shall include a detailed description of the pharmacy practice experience to be earned.

(C) Preceptor Approval. To be eligible for approval, a supervising preceptor shall hold a pharmacist license from a U.S. state or territory and such license is active and not under disciplinary action in such U.S. state or territory. An individual/entity may petition the board to approve a preceptor that is not a Missouri-licensed pharmacist on a form provided by the board. The board may, in its discretion, approve a non-pharmacist preceptor if the preceptor is sufficiently qualified to train interns in the proposed pharmacy practice experience area(s) and the experience to be earned complies with the provisions of 20 CSR 2220-7.030(1)(A)3.

(D) Students enrolled in an approved school/college of pharmacy shall be authorized to earn experience as part of their school/college curriculum at any site or with any preceptor approved by the board for the school/college. However, students desiring to earn pharmacy practice experience outside of, or in addition to, the training/experience required as part of the curriculum of an approved school/college of pharmacy (i.e., non-school related summer employment) shall comply with the provisions of this rule for the additional hours

earned and shall separately request prior approval by the board of the site/preceptor to be used.

(4) Calculation of Hours. An intern pharmacist shall only be given credit for hours earned in activities related to the practice of pharmacy as determined by the board or connected with pharmaceutical or patient-centered care through the interpretation and evaluation of prescription orders; the compounding, dispensing, and labeling of drugs and devices pursuant to prescription orders; the proper and safe storage of drugs and devices and the maintenance of proper records of them; or consultation with patients and other health care practitioners about the safe and effective use of drugs and devices.

(A) Except as otherwise provided herein, an intern pharmacist shall only receive credit for pharmacy practice experience that is earned after the date of licensure as an intern, at an approved site and under the supervision of an approved preceptor.

(B) Certification of Hours. An intern pharmacist shall file a Preceptor's Affidavit of Internship Hours at the completion of his/her pharmacy practice experience on a form provided by the board. The report shall identify the pharmacy practice experience hours earned at each approved training site and shall be signed by the supervising preceptor. No credit shall be granted for hours not reported to the board. In lieu of the preceptor affidavit, an approved school/college of pharmacy shall certify to the board the pharmacy practice experience earned by each student as part of the required curriculum. Certification shall be submitted by the approved school/college of pharmacy upon the student's graduation or within thirty (30) days after the student is no longer enrolled in the pharmacy school/college.

(C) An intern pharmacist shall not be allowed or granted more than forty-eight (48) hours of intern credit each week. An intern pharmacist shall not be credited for hours earned while practicing/working as a pharmacy technician.

(D) The board shall not certify or verify any pharmacy practice experience gained in Missouri unless the pharmacy practice experience complies with the requirements of this rule. Additionally, the board will not verify or certify hours earned by a student if the board does not receive certification from the preceptor or the school/college documenting the hours required by this rule.

(5) Change of Intern Location/Preceptor. Except as provided for students of an approved school/college of pharmacy, an intern pharmacist shall promptly notify the board of a change in intern site/preceptor and shall request approval of the site/preceptor to be used. If approved, the intern pharmacist shall not be credited for hours earned more than ten (10) days prior to the date the approval request is filed with the board. No credit shall be granted for hours earned if the request for site/preceptor approval is subsequently disapproved by the board.

(6) Intern pharmacists shall file an application to renew their intern pharmacist license between October 1 and December 31 of each even-numbered year. Applications shall be made on a form provided by the board and accompanied by the renewal fee.

AUTHORITY: sections 338.060 and 338.070, RSMo 2000, and sections 338.035 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will have a net increase for state agencies or political subdivisions of approximately twenty-one thousand six hundred seventy dollars (\$21,670) to twenty-two thousand one hundred twenty-six dollars (\$22,126) annually for the life of the rule and a net increase of eighty-seven thousand three hundred thirty-nine dollars (\$87,339) to eighty-seven thousand three hundred eighty dollars (\$87,380) biennially for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately twenty-eight thousand two hundred forty-seven dollars (\$28,247) annually and ninety-two thousand seven hundred fifty-seven dollars (\$92,757) biennially for the life of the rule.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.025 Intern Pharmacist Licensure

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Annual

Affected Agency or Political Subdivision	Net Effect	
Board of Pharmacy		\$21,670.31
		to
		\$22,125.66
	Total Annual Increase for the	\$21,670.31
	Life of the Rule	to
		\$22,125.66

Biennial

Affected Agency or Political Subdivision	Net Effect	
Board of Pharmacy		\$87,339.34
		to
		\$87,380.46
	Total Biennial Increase	\$87,339.34
	for the Life of the Rule	to
		\$87,380.46

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Intern Application Fee	559	
	\$50.00		\$27,950.00
	Total Annual Revenue for the		
	Life of the Rule		\$27,950.00

Biennial Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Intern Renewal Fee	1,121	
	\$80.00		\$89,680.00
	Total Biennial Revenue for the		
	Life of the Rule		\$89,680.00

Annual Costs

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	30 minutes	\$8.90 to \$9.65	559	\$4,976.72 to \$5,394.68
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	15 minutes	\$4.45 to \$4.83	100	\$445.14 to \$482.53
Total Annual Personal Service Costs								\$5,421.86 to \$5,877.21

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost
License Packet (new applicants)	\$0.72	559	\$402.48
Total Annual Expense and Equipment Costs			\$402.48

Biennial Costs

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	30 minutes	\$8.90 to \$9.65	55	\$489.66 to \$530.78
Total Biennial Personal Service Costs								\$489.66 to \$530.78

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost
License Packet (renewal applicants)	\$0.72	1,121	\$807.12
Renewal Postcard Notices and Postage Costs	\$0.36	1,121	\$403.56
Paper Renewal Postage Costs	\$5.35	112	\$599.20
Total Biennial Expense and Equipment Costs			\$1,809.88

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute.
2. The board's estimation of 559 new intern pharmacist applications is based on the average number of new intern applications received in FY 2009, FY 2010, and FY 2011.
3. The board's estimation of 100 site and preceptor approval forms is based on the average number of forms received in 2009.
4. The board's estimation 1,121 biennial intern renewal applicants is based on the average number of renewals processed during the 2006, 2008, and 2010 renewal cycles.
5. In lieu of mailing paper renewal applications, the board mails renewal notices by postcard with online renewal instructions. However, licensees may opt to receive a paper renewal. Based on the board's online renewal average for 2006, 2008 and 2010, the board estimates approximately 112 intern pharmacists will request paper renewal applications.
6. The board has experienced a significant increase in online renewal submissions that do not require manual processing. In 2010, approximately 96% of licensees renewed online. Accordingly, the board estimates that no more than 10 % of the estimated 1,121 renewal applicants will submit a paper application that requires staff processing (112 renewal applicants).
7. Of the estimated 112 manual renewal intern applications handled by board staff, the board estimates that approximately 55 applications will require further review/approval by a Licensing Technician II.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual costs incurred by the office, which includes personal service, expense and equipment, and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.025 Intern Pharmacist Licensure

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Annual Costs

Estimate the number of entities by class which would likely be affected by the adoption of the proposed	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
559	Intern Pharmacist Initial Application Fee \$50.00	\$27,950.00
559	Application Postage \$0.45	\$251.55
100	Change of Site/Preceptor Notification \$0.45	\$45.00
Estimated Annual Cost of Compliance for the Life of the Rule		\$28,246.55

Biennial Costs

Estimate the number of entities by class which would likely be affected by the adoption of the proposed	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
1,121	Intern Pharmacist Renewal Application Fee \$80.00	\$89,680.00
112	Renewal Application Postage \$0.45	\$50.40
1,009	On-line Renewal Vendor Processing Fee \$3.00	\$3,027.00
Estimated Biennial Cost of Compliance for the Life of the Rule		\$92,757.40

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually or biennially for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. The board's estimation of 559 new intern pharmacist applications is based on the average number of new intern applications received in FY 2008, FY 2009 and FY 2010.
3. Based on averages for the last three renewal cycles, the board estimates approximately 1,121 renewal applications will be filed biennially.
4. Currently, licensees may opt to renew online or by mail. The board has experienced a significant increase in online renewal submissions for pharmacists. In 2010, approximately 95% of licensees renewed online. Based on the current online renewal averages for the 2008 and 2010 renewal periods, it is estimated that no more than 10% of the estimated 1,121 renewal applications will be submitted by mail (approx. 112) while 90% of applications will be submitted online (@ 1,009).
5. The online renewal vendor processing fee is established by the State of Missouri's approved online payment vendor and is not established by, or paid to, the Board of Pharmacy. The vendor processing fee is based on currently assessed rates and may be subject to change by the vendor.
6. The board's estimation of 100 site and preceptor approval forms is based on the average number of forms received in FY 2011.
7. The estimated fingerprinting fee is a pass through fee determined by the Federal Bureau of Investigation and the Missouri State Highway Patrol. The board does not establish or receive fingerprint fees. Private entity costs associated with this requirement are shown in the fiscal note for 20 CSR 2220-7.090.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.027 Approved Missouri Schools/Colleges of Pharmacy

PURPOSE: This rule establishes requirements for approval of pharmacy practice experience earned as part of the curriculum of a Missouri school/college of pharmacy.

(1) Upon request, the board may approve a Missouri school/college of pharmacy for purposes of providing pharmacy practice experience to enrolled students. To be eligible for approval, the school/college of pharmacy shall be located in Missouri and shall—

(A) Be accredited by the Accreditation Council for Pharmacy Education (ACPE);

(B) Require as part of the school/college curriculum or training, a minimum of one thousand five hundred (1,500) hours of pharmacy practice experience in activities related to the practice of pharmacy as determined by the board or connected with pharmaceutical or patient-centered care through the interpretation and evaluation of prescription orders; the compounding, dispensing, and labeling of drugs and devices pursuant to prescription orders; the proper and safe storage of drugs and devices and the maintenance of proper records of them; the administration of immunizations; or consultation with patients and other health care practitioners about the safe and effective use of drugs and devices;

(C) Submit a list of all preceptors and sites that will be used within the school/college curriculum for pharmacy practice experience; and

(D) Submit the school's/college's policies and procedures for obtaining practice experience for board approval. The policies and procedures shall include policies/procedures for student training, approving sites/preceptors, and monitoring practice experience activities.

(2) The board may, in its discretion, disapprove a Missouri school/college of pharmacy if the policies or procedures do not comply with the pharmacy practice experience requirements of this rule or Chapter 338, RSMo. The policies and procedures shall be resubmitted annually to the board for approval or as otherwise requested by the board.

(3) Site/Preceptor Approval. An approved school shall submit to the board for approval a list of all preceptors and sites that will be used within the school's curriculum for pharmacy practice experience. Except as otherwise provided in section (5) of this rule, sites/preceptors must be approved by the board before the site or preceptor can be used. Once approved, intern pharmacists shall be authorized to earn pharmacy practice experience required by an approved school's curriculum/training requirements at any site or with any preceptor approved by the board for the student's school/college. To be eligible for approval, sites and preceptor approval shall meet the requirements of 20 CSR 2220-7.025(3).

(4) Exemptions. An approved school/college may file a request with the executive director to temporarily approve a site/preceptor if an approved site/preceptor is anticipated to be unavailable for a period likely to exceed seven (7) days, transfer of the intern pharmacist is deemed necessary to ensure compliance with state/federal law, or the intern pharmacist is unable to gain appropriate pharmacy practice experience in the site or under the preceptor previously approved by the board and an alternative placement with an approved site/preceptor is not reasonably available.

(A) The executive director may approve a temporary site/preceptor request if the proposed pharmacy practice experience meets the requirements of this rule. Approval requests shall be filed on a form provided by the board and shall detail the grounds for the request and certify that the site/preceptor meets the requirements of this rule.

(B) To be eligible for approval, the temporary site shall be licensed as a pharmacy in a United States (U.S.) state or territory and the designated preceptor shall be licensed as a pharmacist in a U.S. state or territory. The pharmacist and pharmacy licenses must respectively be active and not under disciplinary action with the board.

(C) Intern pharmacists shall only receive credit for pharmacy practice experience earned from the date of approval by the executive director. No credit shall be given for hours earned if the board subsequently disapproves the site/preceptor.

(5) Certification of Hours. An approved school/college shall certify the pharmacy practice experience earned by a student to the board upon the student's graduation or within thirty (30) days after the student is no longer enrolled in the pharmacy program. The board will not verify or certify hours earned by a student as part of the curriculum of a recognized school/college if the board does not receive certification from the school/college documenting the hours earned. An intern pharmacist shall not be granted credit for hours earned while practicing/working as a pharmacy technician.

AUTHORITY: section 338.070, RSMo 2000, and sections 338.035 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately eight hundred forty-five dollars (\$845) to one thousand eighty-eight dollars (\$1,088) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately nine hundred seventy-one dollars (\$971) annually for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.027 Approved Missouri Schools/Colleges of Pharmacy

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Estimated Cost of Compliance	
Board of Pharmacy	\$844.95 to \$1,087.61	
	Total Annual Cost of Compliance for the Life of the Rule	\$844.95 to \$1,087.61

III. WORKSHEET

The Pharmacy Consultant is responsible for supervising specific internal drug vendor unit activities or field audit operations, or perform equivalent independent work. The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Pharmacy Consultant	\$65,676 to \$95,040	\$98,974 to \$143,225	\$47.58 to \$68.86	\$0.79 to \$1.15	30 minutes	\$23.79 to \$34.43	20	\$475.84 to \$688.58
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	60 minutes	\$17.81 to \$19.30	20	\$356.12 to \$386.02
Total Personal Service Costs								\$831.95 to \$1,074.61

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Correspondence Mailing	\$0.65	20	\$13.00
Total Expense and Equipment Costs			\$13.00

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute.
2. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. The total estimation of site/preceptor approval requests are based on the current number of approval requests received from Missouri's pharmacy schools/colleges. Estimated staff resources include estimated time expenditures for all site/preceptor approval activities.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual costs incurred by the office, which includes personal service, expense and equipment, and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.027 Approved Missouri Schools/Colleges of Pharmacy

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
1,680	Certifications of Student Hours Postage \$0.45	\$756.00
1	Board Meeting Travel Expense (Kansas City to Jefferson City) 314 miles @ \$0.37	\$116.18
1	Board Meeting Travel Expense (St. Louis to Jefferson City) 266 miles @ \$0.37	\$98.42
Estimated Annual Cost of Compliance for the Life of the Rule		\$970.60

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. The estimated number of certifications required by this rule is based on the average number of intern pharmacists for FY 2008, FY 2009 and FY 2010.
3. Under the proposed rule, only Missouri located pharmacy schools/colleges are eligible for board approval. Currently, only two (2) pharmacy schools/colleges exist in Missouri which are located in Kansas City and St. Louis. Approved pharmacy schools/colleges are required to meet with the board once a year to review school approval during the board's regularly scheduled board meetings in Columbia, Missouri. The board estimated travel costs based on the current mileage reimbursement rate established by the Office of Administration, State of Missouri.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.030 Pharmacist Licensure by Examination

PURPOSE: This rule establishes licensure requirements for examination applicants that have graduated from an accredited college/school of pharmacy.

(1) Examination Applications.

(A) Graduates of a college/school of pharmacy accredited by the Accreditation Council for Pharmacy Education (ACPE) or an equivalent federally-recognized accrediting body may apply to the board for licensure as a Missouri pharmacist by examination. Applications shall be submitted on forms provided by the board with the examination application fee. The application shall be notarized and shall include:

1. Satisfactory evidence that the applicant has graduated from an accredited school/college of pharmacy that meets the requirements of this rule;

2. Proof of fingerprinting as required by 20 CSR 2220-7.090; and

3. Proof of one thousand five hundred (1,500) hours of pharmacy practice experience in activities related to the practice of pharmacy as approved by the board or connected with pharmaceutical or patient-centered care through the interpretation and evaluation of prescription orders; the compounding, dispensing, and labeling of drugs and devices pursuant to prescription orders; the proper and safe storage of drugs and devices and the maintenance of proper records of them; the administration of immunizations; or consultation with patients and other health care practitioners about the safe and effective use of drugs and devices. Pharmacy practice experience earned in another state must be certified directly to the board from the state or governmental pharmacist licensing entity where the hours were earned.

(B) The board shall review the application and determine the candidate's eligibility to test. Applications shall be deemed incomplete until all requirements of this rule have been met. All application fees shall be non-refundable.

(2) Test Scheduling. When an application has been completed, the board shall notify the applicant if he/she is eligible for the North American Pharmacist Licensure Examination (NAPLEX) and/or the Multistate Pharmacy Jurisprudence Examination (MPJE) automated examinations. If eligible, the applicant shall schedule testing dates for both the NAPLEX and MPJE, as required by the National Association of Boards of Pharmacy (NABP). The applicant shall satisfy all testing and scheduling requirements established by NABP and shall be responsible for completing any necessary application(s) and payment of fee(s) for scheduling/taking the examination(s).

(A) To avoid forfeiture of eligibility, the applicant must take the examination(s) within three hundred sixty-five (365) days after having been determined eligible by the board for examination. If the applicant does not take the examination within three hundred sixty-five (365) days, the applicant shall be required to reapply to the board for examination/licensure and again pay the examination application fee.

(B) A determination by the board that an applicant is eligible for examination does not guarantee that the applicant will be issued a Missouri pharmacist license. The board reserves the right to deny an applicant for licensure that has been approved for examination as authorized by Missouri law.

(3) Testing. Applicants for licensure by examination shall successfully pass both the NAPLEX and the MPJE. To successfully pass, a minimum score of seventy-five (75) is required for each of the required examinations. Upon approval by the board and successful completion of the NAPLEX and MPJE, the board shall issue a pharmacist license to the applicant.

(4) Retesting. If an applicant fails to achieve a score of seventy-five (75) on both the NAPLEX and the MPJE, the candidate shall retake and pass the failed examination(s) before a license can be issued. Any applicant who fails to achieve a passing score on either of the examinations shall be required to file an application for reexamination with the board and pay the examination application fee each time. All examinations are scored independently and may be retaken independently.

(A) The board shall review and approve any applicant that fails the NAPLEX or MPJE two (2) consecutive times prior to the applicant being declared eligible to retest. A candidate shall not be declared eligible to retest under this subsection until approved by the board. In lieu of disapproval, the board may establish a date after which the candidate shall be eligible to retest or may establish additional training or study requirements to be completed before authorization to retest is granted.

(B) Application for reexamination shall be made on a form provided by the board. Fees for reexamination shall be non-refundable.

AUTHORITY: sections 338.020, 338.040, 338.060, and 338.070, RSMo 2000, and sections 338.035 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will have a net increase for state agencies or political subdivisions of approximately forty-two thousand six hundred thirty-six dollars (\$42,636) to forty-three thousand two hundred sixty-five dollars (\$43,265) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately two hundred seventy-four thousand four hundred thirty-eight dollars (\$274,438) annually for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.030 Pharmacist Licensure by Examination

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Net Effect
Board of Pharmacy	\$42,635.69 to \$43,264.89
	Total Annual Increase for the Life of the Rule \$42,635.69 to \$43,264.89

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Exam Application Fee \$150.00	319	\$47,850.00
Board of Pharmacy	Re-exam Application Fee \$150.00	21	\$3,150.00
	Total Annual Revenue for the Life of the Rule		\$51,000.00

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	120 minutes	\$35.61 to \$38.60	187	\$6,659.36 to \$7,218.65
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	15 minutes	\$4.45 to \$4.83	187	\$832.42 to \$902.33
							Total Personal Service Costs	\$7,491.78 to \$8,120.98

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
License Packet	\$0.72	319	\$229.68
Retesting Postage Costs	\$0.65	21	\$13.65
Total Expense and Equipment Costs			\$243.33

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of proof of insurance documents and surety bonds. The total cost was based on the cost per document and bond review multiplied by the estimated number of documents and bonds.
2. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. Estimated costs are based on the average number of duplicate fee requests annually received by the board for all licensure classifications subject to the rule (pharmacist, intern pharmacists and pharmacy technicians). The board estimates this average will remain constant throughout the life of the rule. However, the number of duplicate requests may decrease as the board expands online services.
4. The board's estimation of pharmacist applicants is based on the average number of pharmacist examination applications received in FY 2008, FY 2009 and FY 2010.
5. The North American Pharmacist Licensure Examination and Multistate Pharmacy Jurisprudence Examination fees are based on the current examination costs assessed by the examination provider, the National Association of Boards of Pharmacy (NABP). The examination fees are established by NABP and may increase or vary with inflation.
6. The estimated number of retesting applicants is based on the average number of retesting applications received for all pharmacist licensee classifications in FY 2008, FY 2009 and FY 2010. This number is unpredictable, subject to change and may vary significantly.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual costs incurred by the office, which includes personal service, expense and equipment, and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.030 Pharmacist Licensure by Examination

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
319	Pharmacist by Examination Application Fee (Board of Pharmacy Application) \$150.00	\$47,850.00
319	Application Postage \$0.45	\$143.55
319	NAPLEX Examination Fee \$485.00	\$154,715.00
319	MPJE Examination Fee \$200.00	\$63,800.00
21	Retesting Applicants \$150.00	\$3,150.00
19	Retesting Applicants MPJE Fee \$200.00	\$3,800.00
2	Retesting Applicants NAPLEX Fee \$485.00	\$970.00
21	Retesting Postage \$0.45	\$9.45
	Estimated Annual Cost of Compliance for the Life of the Rule	\$274,438.00

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Based on the average number of pharmacist examination applications received annually, the board estimates approximately 319 pharmacist examination applications will be filed annually with related postage costs.
3. Based on the board's renewal average for the last three renewal cycles, the board estimates approximately 7,817 renewal applications will be filed biennially.
4. The board has experienced a significant increase in online renewal submissions for pharmacists. In 2010, approximately 95% of licensees renewed online. Based on the board's current online renewal average, it is estimated that no more than 10% of the estimated 7,817 renewal applications will be submitted by mail (approx. 782 paper renewal applications) and incur postage costs.
5. The North American Pharmacist Licensure Examination (NAPLEX) and Multistate Pharmacy Jurisprudence Examination (MPJE) examination fees are based on the current examination costs assessed by the examination provider, the National Association of Boards of Pharmacy (NABP). The examination fees are established by NABP and may increase or vary with inflation.
6. The estimated number of retesting applicants is based on the average number of retesting applications received for all pharmacist licensee classifications. This number is unpredictable, subject to change and may vary significantly. However, based on current trends, an estimated 90% of examinations applicants are required to retake the MPJE with the remaining 10% required to retake the NAPLEX. Accordingly, the board estimates 19 of the estimated 21 retesting applicants will incur costs related to retaking the MPJE (90%) and 2 retesting applicants (approx. 10%) will incur NAPLEX related retesting costs.
7. The estimated fingerprinting fee is a pass through fee determined by the Federal Bureau of Investigation and the Missouri State Highway Patrol. The board does not establish or receive fingerprint fees. Private entity costs associated with this requirement are shown in the fiscal note for 20 CSR 2220-7.090.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.040 Foreign Graduates

PURPOSE: This rule establishes licensure requirements for pharmacist applicants who are graduates from a pharmacy school/college not located in the United States or a United States territory.

(1) Definitions.

(A) Foreign school/college—For purposes of this rule, a foreign school/college shall be defined as a school/college of pharmacy that is not located in a United States (U.S.) state/territory.

(B) Preliminary evaluation application—The Application for Preliminary Evaluation of Foreign Pharmacy School Graduate provided by the board for graduates of a foreign school/college.

(2) Applicability. The provisions of this rule are applicable to all graduates of a foreign school/college, including, graduates currently or previously licensed as a pharmacist by another U.S. state/territory. Graduates from a foreign school/college of pharmacy shall comply with the provisions of this rule prior to filing an examination application, an application for pharmacist licensure, or a reciprocity application.

(3) Prior to applying for pharmacist licensure/examination, graduates of a foreign school/college shall first obtain Foreign Pharmacy Graduate Equivalency Certification (FPGEC) from the National Association of Boards of Pharmacy Foundation Foreign Pharmacy Graduate Examination Committee. Potential applicants shall pay all fees and comply with all application/certification procedures required by the National Association of Boards of Pharmacy Foundation Foreign Pharmacy Graduate Examination Committee.

(4) After receiving FPGEC, applicants shall file an application for preliminary evaluation with the board. Applications shall be submitted on a form provided by the board and accompanied by the application fee. The preliminary evaluation application shall include:

(A) A copy of a certificate showing proof of name, date of birth, and place of birth by one (1) of the following methods:

1. Birth certificate;
2. Baptismal certificate; or
3. Notarized statement from an authorized governmental agency.

(B) Documentation of name change, if the name on the credentials supplied for evaluation purposes is different than the name appearing on the application;

(C) Proof of fingerprinting as required by 20 CSR 2220-7.090;

(D) A copy of the applicant's FPGEC certificate;

(E) Proof of U.S. citizenship or, if the applicant is not a U.S. citizen, a copy of current visa, along with a copy of a U.S. employment authorization document such as an Alien Registration Receipt Card, Form I-551 or Employment Authorization Card Form I-688-B, or any other document approved or issued by the U.S. government permitting employment in the U.S.; and

(F) Documentation as required by the board showing proof of one thousand five hundred (1,500) hours of pharmacy practice experience related to the practice of pharmacy or proof that the applicant has maintained an active pharmacist license in another U.S. state/territory for a period of not less than one (1) year. To be eligible for licensure, the one thousand five hundred (1,500) hours of pharmacy practice experience must have been earned in a U.S. state/territory after the date the applicant obtained FPGEC certification. Applicants who

have not yet completed the one thousand five hundred- (1,500-) hour experience requirement shall apply for licensure as an intern pharmacist and shall complete the required one thousand five hundred (1,500) hours before the applicant's preliminary evaluation application is approved.

(5) Reciprocity/License Transfer. After the preliminary evaluation application has been approved by the board, graduates of a foreign school/college that are currently licensed in another U.S. state/territory shall be governed by, and shall apply for licensure by license transfer/reciprocity pursuant to, 20 CSR 2220-7.050.

(6) Test Scheduling for Foreign Graduates Applying for Licensure by Examination. When an application has been completed, the board shall notify an applicant if he/she is eligible for the North American Pharmacist Licensure Examination (NAPLEX) and/or Multistate Pharmacy Jurisprudence Examination (MPJE) examinations. The applicant shall schedule test dates for both the NAPLEX and MPJE with National Association of Boards of Pharmacy (NABP). The applicant shall satisfy all testing and scheduling requirements established by NABP and shall complete any necessary application(s) and payment of fee(s) for scheduling/taking the examination(s).

(A) To avoid forfeiture of eligibility, the applicant must take the examination(s) within three hundred sixty-five (365) days after having been determined eligible for examination by the board. If the applicant does not take the examination within three hundred sixty-five (365) days, the applicant shall be required to reapply to the board for examination/licensure and again pay the examination application fee.

(B) A determination by the board that an applicant is eligible for examination does not guarantee that the applicant will be issued a Missouri pharmacist license. The board reserves the right to deny an applicant for licensure that has been approved to take the required examinations as authorized by Missouri law.

(7) Testing. Applicants for licensure by examination shall successfully pass both the NAPLEX and the MPJE examinations. A minimum score of seventy-five (75) is required for each of the required examinations. Upon approval by the board and successful completion of the NAPLEX and MPJE, the board may issue a pharmacist license to the applicant.

(8) Retesting. If an applicant fails to achieve a score of seventy-five (75) on both the NAPLEX and MPJE, the candidate shall retake and pass the failed examination(s) before a license can be issued. Any applicant who fails to achieve a passing score on either of the examinations shall file an application for reexamination with the board and pay the examination application fee each time. All examinations are scored independently and may be retaken independently.

(A) The board shall review and approve any applicant that fails the NAPLEX or MPJE two (2) consecutive times prior to the applicant being declared eligible to retest. A candidate shall not be declared eligible to retest under this subsection until approved by the board. In lieu of disapproval, the board may establish a date after which the candidate shall be eligible to retest or may establish additional training or study requirements to be completed before authorization to retest is granted.

(B) Application for reexamination shall be made on a form provided by the board. Fees for reexamination shall be non-refundable.

(9) Upon approval by the board and successful completion of the NAPLEX and MPJE, the board shall issue a pharmacist license to the applicant.

(10) A preliminary evaluation application shall be deemed invalid if the applicant fails to submit all information required to complete the application within six (6) months after the application is received by the board. However, a preliminary evaluation application shall not be

deemed invalid if the applicant has applied for licensure as a Missouri intern pharmacist to complete the required pharmacy practice experience and has completed all other preliminary application requirements, provided the application shall be deemed void if the applicant fails to complete the required pharmacy practice experience within two (2) years from the date the preliminary evaluation application was initially received by the board.

AUTHORITY: sections 338.020, 338.040, 338.060, and 338.070, RSMo 2000, and sections 338.035 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will have a net increase for state agencies or political subdivisions of approximately two thousand six hundred sixty-one dollars (\$2,661) to two thousand seven hundred twenty-four dollars (\$2,724) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately twenty-eight thousand six hundred thirty-six dollars (\$28,636) annually for the life of the rule.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573)526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.040 Foreign Graduates

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Net Effect	
Board of Pharmacy		\$2,660.52
		to
		\$2,724.07
	Total Annual Increase for the Life of the Rule	\$2,660.52
		to
		\$2,724.07

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Preliminary Application	14	
	\$250.00		\$3,500.00
	Total Annual Revenue for the Life of the Rule		\$3,500.00

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576	\$37,036	\$17.81	\$0.30	180	\$53.42	14	\$747.84
	to	to	to	to	minutes	to		to
	\$26,640	\$40,146	\$19.30	\$0.32		\$57.90		\$810.65
Licensing Technician II	\$24,576	\$37,036	\$17.81	\$0.30	15	\$4.45	2	\$8.90
	to	to	to	to	minutes	to		to
	\$26,640	\$40,146	\$19.30	\$0.32		\$4.83		\$9.65
								\$756.75
								to
								\$820.30
								Total Personal Service Costs

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
License Packet	\$0.72	14	\$10.08
Application Approval Postage (new applicants)	\$0.65	14	\$9.10
Total Expense and Equipment Costs			\$19.18

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of proof of insurance documents and surety bonds. The total cost was based on the cost per document and bond review multiplied by the estimated number of documents and bonds.
2. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation, and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. Based on the average number of foreign graduate licensure applications received annually, the board estimates 14 foreign graduate applications will be filed annually with related postage costs.
4. The board estimates approximately two-hours of completion time is required by a Licensing Technician II per application for all licensure review activities, including processing retesting requests.
5. Based on the current percentage of retesting applicants, the board estimates 10% of foreign graduate applicants will require retesting (approx. 2 applicants).

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the office, which includes personal service, expense and equipment and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.040 Foreign Graduates

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
14	Preliminary Application Fee \$250.00	\$3,500.00
14	Application Postage Costs \$0.45	\$6.30
14	FPGEC Certification Fee \$1,060.00	\$14,840.00
14	MPJE Examination Fee \$200.00	\$2,800.00
14	NAPLEX Examination Fee \$485.00	\$6,790.00
2	MPJE Retesting Fee \$200.00	\$400.00
2	NAPLEX Retesting Fee \$150.00	\$300.00
Estimated Annual Cost of Compliance for the Life of the Rule		\$28,636.30

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Based on the average number of foreign graduate licensure applications received annually, the board estimates 14 foreign graduate applications will be filed annually with related postage costs.
3. The Foreign Pharmacy Graduate Equivalency Certification fees (FPGEC) are established by, and paid directly to, the National Association of Boards of Pharmacy (NABP) and their related vendors. The estimated FPGEC related costs include the following fees: FPGEC Fee- \$800; TOEFL Testing Fee - \$175; Educational Credential Evaluators Report - \$85.
4. The North American Pharmacist Licensure Examination (NAPLEX) and Multistate Pharmacy Jurisprudence Examination (MPJE) examination fees are based on the current examination costs assessed by the examination provider, the NABP.
5. The FPGEC, NAPLEX and MPJE fees are established by NABP and their related vendors and may increase or vary with inflation.
6. Based on the current percentage of retesting applicants, the board estimates 10% of foreign graduate applicants will require retesting (approx. 2 applicants).
7. The estimated number of retesting applicants is based on the average number of retesting applications received for all pharmacist licensee classifications. This number is unpredictable, subject to change and may vary significantly. However, the majority of foreign graduate retest applicants apply to retake the MPJE examination. Accordingly, the board estimates retesting applicants will incur costs related to retaking the MPJE.
8. The estimated fingerprinting fee is a pass through fee determined by the Federal Bureau of Investigation and the Missouri State Highway Patrol. The board does not establish or receive fingerprint fees. Private entity costs associated with this requirement are shown in the fiscal note for 20 CSR 2220-7.090.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.050 License Transfer/Reciprocity

PURPOSE: This rule establishes requirements for applicants for pharmacist licensure by license transfer/reciprocity.

(1) The provisions of this rule shall be applicable to applicants for pharmacist licensure that are currently registered or licensed as a pharmacist in another United States (U.S.) state/territory who desire to be licensed by reciprocity or license transfer.

(2) Foreign Graduates. Graduates of a school/college of pharmacy not located in a U.S. state/territory shall first comply with 20 CSR 2220-7.040.

(3) Individuals seeking licensure by license transfer/reciprocity shall first file a preliminary application for license transfer with the National Association of Boards of Pharmacy (NABP). Potential applicants shall pay all NABP required fees and comply with all applicable NABP requirements.

(A) After NABP's review of the preliminary application, NABP will forward the official application for license transfer/reciprocity to the applicant which shall be completed and filed with the board along with the application fee. The official application shall be notarized and shall be accompanied by proof of fingerprinting as required by 20 CSR 2220-7.090.

(B) The NABP official application shall be submitted to the board no more than three (3) months from the issue date of the official application as designated by NABP. If the official application is not submitted to the board within the required three (3) months, the applicant shall be required to apply to NABP for reevaluation of their application and for an extension of the NABP issuance date. Applicants shall complete all reevaluation/extension requirements and pay all applicable fees required by NABP.

(4) Applicants for license transfer/reciprocity shall pass the Multistate Pharmacy Jurisprudence Examination (MPJE) for Missouri. Upon review of the official application, the board shall notify NABP if the applicant is eligible to take the MPJE. A minimum score of seventy-five (75) is required for each of the required examinations. To be eligible for examination, the applicant shall—

(A) Be currently registered or licensed as a pharmacist in another U.S. state/territory;

(B) Have been licensed as a pharmacist by examination in another U.S. state/territory;

(C) Have completed one thousand five hundred (1,500) hours of pharmacy practice experience related to the practice of pharmacy as determined by the board or shall have maintained an active pharmacist license for a period of not less than one (1) year in the state from which they are transferring that is not under disciplinary action; and

(D) Submit a copy of the applicant's Foreign Pharmacy Graduate Equivalency Committee Certification (FPGEC) certificate if the applicant is a graduate of a school/college of pharmacy not located in the United States.

(5) Test Scheduling. When an application has been completed, the board shall notify the applicant if he/she is eligible for the MPJE examination. The applicant shall schedule a testing date for the MPJE. The applicant shall satisfy all testing and scheduling requirements established by NABP and shall be responsible for completing any necessary application(s) and payment of fee(s) for scheduling/taking the examination.

(A) To avoid forfeiture of eligibility, the applicant must take the examination within six (6) months after having been determined eligible by the board for examination. If the applicant does not take the examination within six (6) months, the applicant shall be required to reapply to the board for examination/licensure and again pay the reciprocity application fee.

(B) A determination by the board that an applicant is eligible for examination does not guarantee that the applicant will be issued a Missouri pharmacist license. The board reserves the right to deny an applicant for licensure that has been approved to take the MPJE, as authorized by Missouri law.

(6) Retesting. If an applicant fails to achieve a score of seventy-five (75) on the MPJE, the candidate shall retake and pass the examination before a license can be issued. Applicants who fail to achieve a passing score shall file an application for reexamination with the board and pay the examination application fee each time. All examinations are scored independently and may be retaken independently.

(A) The board shall review and approve any applicant that fails the MPJE two (2) consecutive times prior to the applicant being declared eligible to retest. A candidate shall not be declared eligible to retest under this subsection until approved by the board. In lieu of disapproval, the board may establish a date after which the candidate shall be eligible to retest or may establish additional training or study requirements to be completed before authorization to retest is granted.

(B) Applications for reexamination shall be submitted on a form provided by the board. Fees for reexamination shall be non-refundable.

(7) Upon approval by the board and successful completion of the MPJE, the board may issue a pharmacist license to the applicant. All required fees must be paid prior to approval of a license transfer.

AUTHORITY: sections 338.020, 338.040, 338.060, and 338.070, RSMo 2000, and sections 338.035 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately one hundred five thousand eight hundred eighty-seven dollars (\$105,887) to one hundred six thousand three hundred forty-three dollars (\$106,343) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately one hundred forty-five thousand seven hundred seventy-seven (\$145,777) annually for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.050 License Transfer/Reciprocity

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Estimated Cost of Compliance
Board of Pharmacy	\$105,886.66 to
	\$106,343.13
	Total Annual Cost of Compliance for the Life of the Rule \$105,886.66 to \$106,343.13

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Preliminary Application \$350.00	150	\$52,500.00
Board of Pharmacy	Official Application \$375.00	150	\$56,250.00
Board of Pharmacy	Retesting Application \$150.00	21	\$3,150.00
Total Annual Revenue for the Life of the Rule			\$111,900.00

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY	SALARY TO INCLUDE	HOURLY SALARY	COST PER	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	120 minutes (2 Applications)	\$35.61 to \$38.60	150	\$5,341.74 to \$5,790.36
	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	60 minutes	\$4.45 to \$4.83	21	\$93.48 to \$101.33
Total Personal Service Costs								\$5,435.22 to \$5,891.69

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
License Packet	\$0.72	150	\$108.00
Application Approval	\$0.65	21	\$13.65
Total Expense and Equipment Costs			\$121.65

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of proof of insurance documents and surety bonds. The total cost was based on the cost per document and bond review multiplied by the estimated number of documents and bonds.
2. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. Based on the average number of reciprocity/transfer applications received annually, the board estimates 150 license transfer/reciprocity applications will be filed annually with related postage costs.
4. The estimated number of retesting applicants is based on the average number of retesting applications received annually for all pharmacist licensee classifications.
5. The board estimates approximately one (1) hour of completion time is required by a Licensing Technician II per application for all licensure review activities, including processing preliminary, official, and retesting applications.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the office, which includes personal service, expense and equipment and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.050 License Transfer/Reciprocity

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
150	Preliminary Application Fee \$350.00	\$52,500.00
150	Official Application Fee \$375.00	\$56,250.00
150	Official Application Postage \$0.45	\$67.50
150	MPJE Examination Fee \$200.00	\$30,000.00
21	Retesting Application Fee \$150.00	\$3,150.00
21	Retesting Application Postage \$0.45	\$9.45
19	MPJE Retesting Fees \$200.00	\$3,800.00
	Estimated Annual Cost of Compliance for the Life of the Rule	\$145,776.95

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Based on the average number of reciprocity/transfer applications received annually, the board estimates 150 license transfer/reciprocity applications will be filed annually with related postage costs.
3. The estimated preliminary application and Multistate Pharmacy Jurisprudence Examination (MPJE) fees are based on the current costs assessed by the board's examination provider, the National Association of Boards of Pharmacy (NABP). These fees are established by NABP and may increase or vary with inflation.
4. The estimated number of retesting applicants is based on the average number of retesting applications received for all pharmacist licensee classifications from FY 2008 to FY 2011. Reciprocity/transfer candidates are only required to retake the MPJE.
5. For an exam applicant who fails the MPJE two consecutive times, the board may establish a date after which the candidate shall be eligible to retest or may establish additional training or study requirements to be completed before authorization to retest is granted. Approximately 2 people fall into this category annually and there are free classes available, therefore, no costs are shown here.
6. The estimated fingerprinting fee is a pass through fee determined by the Federal Bureau of Investigation and the Missouri State Highway Patrol. The board does not establish or receive fingerprint fees. Private entity costs associated with this requirement are shown in the fiscal note for 20 CSR 2220-7.090.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.060 Score Transfer

PURPOSE: This rule defines requirements for transferring North American Pharmacist Licensure Examination scores to Missouri.

(1) An applicant applying to take the North American Pharmacist Licensure Examination (NAPLEX) in another jurisdiction may have the score transferred to Missouri by completing the NAPLEX score transfer form supplied by the National Association of Boards of Pharmacy (NABP). To be eligible for score transfer, the applicant must have achieved a minimum passing score of seventy-five (75) on the NAPLEX. The applicant shall complete all required score transfer forms and pay any applicable fees as established by NABP.

(2) A score transfer applicant shall apply for and shall be required to comply with all applicable licensing/application requirements as otherwise established by Chapter 338, RSMo, and 20 CSR 2220-7.010 through 20 CSR 2220-7.090.

(3) A NAPLEX score transferred to Missouri shall only be deemed valid for a period of five (5) years.

AUTHORITY: sections 338.020, 338.040, and 338.070, RSMo 2000, and section 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities approximately three thousand six hundred dollars (\$3,600) annually for the life of the rule.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.060 Score Transfer

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
48	NABP Score Transfer Fee \$75.00	\$3,600.00
	Estimated Annual Cost of Compliance for the Life of the Rule	\$3,600.00

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Based on the average number of score transfers received annually, the board estimates 48 license transfer/reciprocity applications will be filed annually with related postage costs.
3. The estimated number of score transfers includes the number of re-examination transfer fees.
4. The score transfer fee is based on the fee assessed by the examination provider, the National Association of Boards of Pharmacy (NABP). The examination fees are established by NABP and may increase or vary with inflation.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.070 Temporary Pharmacist License (Post-Graduate Training)

PURPOSE: This rule establishes requirements for obtaining a temporary pharmacist license to practice pharmacy for pharmacists completing post-graduate training programs.

(1) Applicants for Post-Graduate Training. Pursuant to section 338.043, RSMo, a pharmacist licensed or registered in another state may apply for a temporary pharmacist license to complete a post-graduate pharmacy training program in the state of Missouri.

(2) Applicants for a temporary pharmacist license shall file an application on a form provided by the board with the application fee. The application will not be considered unless it is fully completed and properly attested. The application shall include:

(A) The name and signature of a Missouri-licensed pharmacist who will be supervising the applicant. The supervising pharmacist's license shall be active in Missouri and shall not be under discipline with the board;

(B) The name and address of all locations where the applicant will be practicing and a description of the applicant's proposed duties;

(C) A portrait photograph which measures two inches by two inches (2" × 2"); and

(D) A protocol which outlines the applicant's duties. At a minimum, the protocol shall define and include:

1. The type of practice to be performed and a specific job description of professional duties and functions to be completed;

2. The identity of the supervising pharmacist which includes a statement attesting to the ability and understanding of responsibilities involved;

3. A complete listing of all affiliations to be utilized during the licensure period; and

4. A complete listing of all locations where professional services will occur.

(3) A Missouri-licensed pharmacist who agrees to supervise a temporary pharmacist licensee shall conduct general supervision during his/her tenure as supervisor. General supervision is defined as supervision required to ensure the temporary pharmacist licensee is practicing in compliance with Missouri law. In addition, the supervisor must be available for consultation with the licensee whenever necessary. The supervising pharmacist and the temporary pharmacist licensee shall timely submit reports to the board as may be required through protocol or as requested by the board in assessing outcomes or adherence to board requirements.

(A) No applicant for a temporary pharmacist license shall commence practicing until the temporary pharmacist license is issued.

(B) The board may terminate a temporary pharmacist license at its own discretion if, in the opinion of the board, any of the board requirements have not been adhered to. The licensee shall be notified in writing by mail when board action results in the termination of a temporary pharmacist license.

(C) A temporary pharmacist licensee shall only be authorized to practice pharmacy at the location(s) identified in the temporary pharmacist's application for licensure. A temporary pharmacist shall notify the board if the temporary licensee changes his/her supervising pharmacist. The board shall approve a change in supervising pharmacist prior to the supervision commencing. A temporary pharmacist licensee shall not practice under the supervision of a pharmacist without approval of the board.

(D) A temporary pharmacist license issued pursuant to this rule automatically expires at the end of the applicant's Missouri-based training program identified in the application and protocol. Temporary pharmacist licensees shall not practice pharmacy in this state beyond the expiration date of their temporary license.

(4) The temporary licensing program is not intended to replace or conflict with any requirements or provisions of Missouri law or the rules of the board regarding internships or pharmacy practice experience. Students enrolled in a school/college of pharmacy seeking to rotate through a licensed pharmacy or to gain pharmacy practice experience in Missouri shall not qualify for licensure under this section but may apply for an intern license as governed by the rules of the board.

(5) If a temporary pharmacist licensee desires to acquire a permanent license or desires to practice pharmacy outside the provisions of this rule, then the temporary licensee shall be required to complete all applicable Missouri pharmacist licensure requirements. If a permanent pharmacist application is denied by the board, the temporary pharmacist license shall be considered invalid after notification is sent to the applicant/licensee by certified mail.

AUTHORITY: sections 338.020 and 338.070, RSMo 2000, and sections 338.043 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will have a net increase for state agencies or political subdivisions of approximately four hundred seventy-two dollars (\$472) to four hundred seventy-four dollars (\$474) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately five hundred two dollars (\$502) annually for the life of the rule.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.070 Temporary Pharmacist License (Post Graduate Training)

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Net Effect	
Board of Pharmacy		\$472.27
		to
		\$474.14
	Total Annual Increase for the Life of the Rule	\$472.27
		to
		\$474.14

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Temporary Pharmacist Application \$100.00	5	\$500.00
	Total Annual Revenue for the Life of the Rule		\$500.00

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	15 minutes	\$4.45 to \$4.83	5	\$22.26 to \$24.13
					Total Personal Service Costs			\$22.26 to \$24.13

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
License Packet	\$0.72	5	\$3.60
Total Expense and Equipment Costs			\$3.60

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of proof of insurance documents and surety bonds. The total cost was based on the cost per document and bond review multiplied by the estimated number of documents and bonds.
2. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. Based on the average number of temporary pharmacist applications received annually, the board estimates 5 license transfer/reciprocity applications will be annually filed.
4. The board estimates approximately fifteen minutes of staff time is required per application for all licensure review activities.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the office, which includes personal service, expense and equipment, and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.070 Temporary Pharmacist License (Post Graduate Training)

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
5	Temporary Pharmacist Application \$100.00	\$500.00
5	Temporary Pharmacists Postage \$0.45	\$2.25
	Estimated Annual Cost of Compliance for the Life of the Rule	\$502.25

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Based on the average number of temporary pharmacist applications received annually, the board estimates 5 license transfer/reciprocity applications will be filed annually with related postage costs.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338, RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.080 Pharmacist License Renewal and Continuing Pharmacy Education

PURPOSE: This rule establishes renewal and continuing education requirements for relicensure of pharmacists in Missouri.

(1) All pharmacist licensees shall apply to renew their Missouri pharmacist license on or before October 31 of every even-numbered year. Applicants shall file a renewal application on a form provided by the board and pay the renewal fee. The renewal application must be completed correctly and in its entirety in order for it to be processed and the license renewed. Any portion of the application that is incomplete or inaccurate shall result in the rejection of the renewal application and require its return to the applicant for correction.

(A) No active pharmacist license will be renewed by the board unless the applicant has fulfilled the continuing education requirements as set forth in section 338.060, RSMo, and the provisions of this rule. At the time of renewal, a licensee shall truthfully attest he/she has completed the continuing education requirements required by this rule. The attestation shall be submitted with the renewal application and shall truthfully affirm that the licensee has completed all continuing education requirements and that proof of continuing education completion has been maintained by the pharmacist as required by section (2) of this rule. The required continuing education must be completed by the date the renewal is signed or submitted to the board.

(B) A Missouri pharmacist license that has not been renewed by the board on or before October 31 of each even-numbered year shall be deemed expired. Upon expiration, the holder of an expired license shall be deemed no longer licensed and shall not practice pharmacy in the state of Missouri until the license has been renewed by the board. To renew an expired license, the holder shall file a renewal application with the board and shall pay all delinquent fees. A delinquent fee shall not be required if the renewal application was post-marked or submitted via the board's electronic renewal system on or before October 31 of each even-numbered year. Renewal applications received prior to October 31 that are returned to the applicant for correction will not be considered late and subject to the delinquent fee if the corrected application is returned to the board within thirty (30) days after receipt.

(C) Any person who fails to renew his/her pharmacist license within two (2) years of its expiration shall be treated in the same manner as a person who has never been licensed and shall be required to file a new pharmacist license application with the board.

(2) Required Hours. As a condition of renewal, all active Missouri pharmacist licensees shall complete thirty (30) hours of continuing education during the two (2) year continuing education reporting period preceding renewal of the license. For purposes of this rule, the reporting period is the twenty-four- (24-) month period beginning on November 1 of even-numbered years and ending on October 31 of even-numbered years. Continuing education hours earned after October 31 of even-numbered years shall apply to the next continuing education period.

(A) A pharmacist first licensed by the board within twelve (12) months immediately preceding the October 31 biennial renewal date shall be exempt from the continuing pharmacy education requirements for that reporting period.

(B) Hours obtained in excess of the thirty (30) hours required by

this rule may not be carried forward to satisfy the requirements for the next reporting period.

(3) Continuing Education Course Approval.

(A) Except as otherwise provided herein, continuing education shall only be granted for a post-graduate course that is related to the practice of pharmacy and that is—

1. Approved by the Accreditation Council for Pharmaceutical Education (ACPE) for continuing education;

2. Offered by a state, federal, or local governmental or regulatory agency and approved by the board; or

3. Related to the practice of pharmacy, as approved by the board.

(B) Continuing education courses may include institutes, seminars, lectures, conferences, workshops, extension study, correspondence courses, teaching, professional meetings, self-study courses, and any other methods approved by the board. The courses must be pharmacy related and shall comply with the other continuing education requirements of this rule.

(C) Continuing pharmacy education programs approved by ACPE shall be accepted as approved continuing education courses for purposes of license renewal and are not required to be individually submitted to the board for prior approval.

(D) The board shall not grant continuing education credit for any course that is taken before it is approved by the board or ACPE.

(E) One (1) continuing education contact unit (CEU) will be the equivalent of ten (10) clock hours of participation in programs approved by the board.

(4) Non-ACPE Approved Programs. Programs that are not ACPE approved must be approved by the board prior to being taken as a continuing education course. To be eligible for approval, a program shall provide for evaluation methods or examinations to assure satisfactory completion by participants. Additionally, the person(s) who is to instruct or who is responsible for the delivery or content of the program shall be qualified in the subject matter by education or experience.

(A) Continuing education approval requests shall be submitted to the board on forms provided by the board. The applicant shall provide detailed information relating to administration and organization of the course, teaching staff, educational content and development, methods of delivery, facilities, and evaluation.

(B) Continuing education program approval applications should be submitted at least thirty (30) days prior to the date of the proposed continuing education program, to ensure the program is approved for continuing education credit prior to the course being taken. Applications received less than thirty (30) days prior to the date of the program cannot be guaranteed to be approved prior to the date of the program. No application for approval of continuing education programs will be accepted if received less than ten (10) business days from the date such program is to be offered for continuing education purposes.

(C) Applications returned due to errors or for purposes of requesting more information shall not be considered to be received by the board until the requested corrections and/or information are made and received by the board.

(D) The executive director shall review applications for continuing education programs and may approve or deny such requests. Applicants shall be notified after a decision to approve or deny a program has been made.

(5) Credit for Educational Training.

(A) Any pharmacist who leads, instructs, or lectures to groups of nurses, physicians, pharmacists, or others on pharmacy-related topics in organized continuing education or in-service programs shall be granted continuing education credit for the time expended during actual presentation upon adequate documentation to the board. However, a pharmacist whose responsibility is the education of

health professionals shall only be granted continuing education credit for time expended in leading, instructing, or lecturing to groups of physicians, pharmacists, nurses, or others on board-approved pharmacy-related topics in an organized continuing education or in-service program outside of his/her formal responsibilities.

(B) Approval shall be requested using the procedures in section (4) of this rule. Credit for the same presentation or program will only be granted once during a renewal period.

(6) Graduate Studies. Continuing education credit will be given for undergraduate or graduate studies taken as a post-graduate in any regionally accredited pharmacy, medical, or dental educational institution of higher learning. To be eligible for credit, the studies must be related to the practice of pharmacy. Credit for undergraduate/graduate studies authorized by this rule shall be assessed as follows:

- | | | |
|----------------------------|---|-------------|
| (A) 3 hours college credit | = | 15 CE hours |
| (B) 2 hours college credit | = | 10 CE hours |
| (C) 1 hour college credit | = | 5 CE hours |

(7) Licensees may obtain four (4) hours (0.4 CEU) of continuing education by attending a complete open session of a board meeting at which disciplinary hearings are scheduled, subject to the following:

(A) The licensee must sign in with the executive director or designee of the board before the meeting day begins;

(B) Licensees cannot receive continuing education credit for attendance at a board meeting if required to appear before the board;

(C) The licensee must remain in continuous attendance during the open session meeting, provided attendance shall not be required for more than eight (8) hours of an open session meeting. Except as otherwise provided in this section, partial credit will not be given if the licensee is not in attendance for the entire open session meeting;

(D) The maximum continuing education hours allowable for board meeting attendance pursuant to this subsection shall be limited to eight (8) credit hours (0.8 CEU) per biennial pharmacist renewal period.

(8) No information or advertisements shall contain information that a continuing education program has been approved by the board unless the program is accredited by ACPE or notification has been received from the board that the program has been approved.

(9) Inactive Licenses. In lieu of submitting proof of continuing education, a pharmacist may apply for an inactive license at the time of license renewal. To be deemed inactive, the pharmacist shall file a renewal application with the board with the applicable fee and request inactive status on the renewal application. An inactive license shall then be issued and may be renewed at subsequent renewal periods. While the inactive license is in effect, the pharmacist shall not practice pharmacy.

(A) The renewal fee will be the same for active and inactive licenses.

(B) Before an inactive license can be returned to active status, the licensee shall submit proper evidence that he/she has obtained at least fifteen (15) continuing education hours for each year that his/her license was inactive. The licensee may obtain the required continuing education hours during any time period while the license is on inactive status, as long as the hours are obtained prior to applying for return to active status.

(10) Any licensee who has an expired pharmacist license and seeks to renew the license pursuant to section 338.060.2, RSMo, shall present proper evidence that he/she has obtained the required number of continuing education hours during the period that his/her license was expired.

(11) A pharmacist shall maintain proof of completion of continuing education credits for a minimum of four (4) years after the continu-

ing education has been completed. Licensees shall maintain a completed certification from ACPE or the approved continuing education provider indicating the course name and date of the program, the name of the participant, the date credit was earned, and, if applicable, the ACPE course number.

(12) The board may audit a licensee to assess the authenticity and validity of continuing education hours submitted for relicensure. Failure to provide proof of completion of the required continuing education credits when requested to do so by the board shall be considered a violation. In accordance with section 338.060, RSMo, any licensee that has not completed and retained the required evidence of all required continuing education shall pay any delinquent fees as prescribed by the board and may be subject to disciplinary action pursuant to section 338.055, RSMo. The board may also audit past renewal periods and/or require that proof of continuing education credits be submitted with the licensee's renewal application.

AUTHORITY: sections 338.020, 338.060, and 338.070, RSMo 2000, and section 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will cost state agencies or political subdivisions approximately four hundred eight dollars (\$408) to five hundred sixty-seven dollars (\$567) annually for the life of the rule and a net increase of \$1,817,008 to \$1,817,167 biennially for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately \$1,839,426 biennially for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.080 Pharmacist License Renewal and Continuing Pharmacy Education

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Estimated Cost of Compliance
Board of Pharmacy	\$407.58 to \$567.14
	Total Annual Cost of Compliance for the Life of the Rule \$407.58 to \$567.14

Affected Agency or Political Subdivision	Net Effect
Board of Pharmacy	\$1,817,007.86 to \$1,817,167.42
	Total Biennial Increase for the Life of the Rule \$1,817,007.86 to \$1,817,167.42

III. WORKSHEET

Biennial Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
Board of Pharmacy	Renewal Application Fee \$225.00	7817	\$1,758,825.00
Board of Pharmacy	Delinquent Renewal Fee \$250.00	107	\$26,750.00
Board of Pharmacy	Continuing Education Delinquent Fee \$1,000.00	32	\$32,000.00
Total Biennial Revenue for the Life of the Rule			\$1,817,575.00

Annual Costs

The Pharmacy Consultant is responsible for supervising specific internal drug vendor unit activities or field audit operations, or perform equivalent independent work.

Personal Service Dollars

STAFF	ANNUAL SALARY RANGE	SALARY TO INCLUDE FRINGE BENEFIT	HOURLY SALARY	COST PER MINUTE	TIME PER REQUEST	COST PER REQUEST	NUMBER OF ITEMS	TOTAL COST
Pharmacy Consultant	\$65,676 to \$95,040	\$98,974 to \$143,225	\$47.58 to \$68.86	\$0.79 to \$1.15	15 minutes CEU Program Approval	\$11.90 to \$17.21	30	\$356.88 to \$516.44
Total Annual Personal Service Costs								\$356.88 to \$516.44

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
CE Approval Postage	\$0.65	78	\$50.70
Total Annual Expense and Equipment Costs			\$50.70

Biennial Costs

The Licensing Technician II provides technical support, processes applications for licensure, and responds to inquiries related to the licensure law and/or rules and regulations.

Personal Service Dollars

STAFF	ANNUAL	SALARY TO	HOURLY	COST PER	TIME PER	COST PER	NUMBER	TOTAL COST
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	30 minutes Process Renewal	\$8.90 to \$9.65	78	\$694.43 to \$752.75
Licensing Technician II	\$24,576 to \$26,640	\$37,036 to \$40,146	\$17.81 to \$19.30	\$0.30 to \$0.32	80 minutes Audit CEUs	\$23.74 to \$25.73	78	\$1,851.80 to \$2,007.32
Total Biennial Personal Service Costs								\$2,546.23 to \$2,760.07

Expense and Equipment Dollars

Item	Cost	Quantity	Total Cost Per Item
Renewal Postcard and Postage	\$0.36	7817	\$2,814.12
Paper Renewal Postage	\$5.35	782	\$4,183.70
License Packet	\$0.72	7817	\$5,628.24
License Packet	\$0.65	800	\$520.00
Total Biennial Expense and Equipment Costs			\$13,146.06

IV. ASSUMPTION

1. Employee's salaries were calculated using the annual salary multiplied by 50.7% for fringe benefits and then divided by 2080 hours per year to determine the hourly salary. The hourly salary was then divided by 60 minutes to determine the cost per minute. The cost per minute was then multiplied by the amount of time individual staff spent on the processing of proof of insurance documents and surety bonds. The total cost was based on the cost per document and bond review multiplied by the estimated number of documents and bonds.
2. The board anticipates the total estimated cost will recur annually/biennially for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
3. The majority of pharmacy continuing education courses are approved by the Accreditation Council for Pharmacy Education and would not require approval by the board under the proposed rule. The board estimates approximately 30 continuing education approval requests annually. This is based on the approximate number of requests currently
4. Based on the board's renewal average for the last three renewal cycles, the board estimates approximately 7,817 renewal applications will be filed biennially.
5. The board has experienced a significant increase in online renewal submissions that do not require manual processing. In 2010, approximately 95% of licensees renewed online. Based on the online renewal average, the board estimates only 10% of the estimated 7,817 renewal applications (approx. 782 applicants) will request and submit paper renewals. Of the estimated 782 manual renewal applications handled by board staff, an estimated 78 applications will require further review/approval by a Licensing Technician II.
6. In lieu of mailing paper renewal applications, the board mails renewal notices by postcard with online renewal instructions. Licensees may opt to receive a paper renewal. Based on the board's online renewal average for FY 2006, 2008 and 2010, the board estimates approximately 782 intern pharmacists will request paper renewal applications.
7. The board biennially audits 10% of all licensees for continuing education compliance and all disciplined licensees. The estimation of total continuing education audit recipients is based on the board's audit numbers for 2010.
8. Delinquent renewal and delinquent continuing education costs were estimated based on an average of the board's delinquent renewal/CE fees for FY 2008 and FY 2010.

Note: The public fiscal note for this rule only reflects the cost for this particular process. However, private entity fees are set at an amount to cover the total actual cost incurred by the office, which includes personal service, expense and equipment and transfers.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.080 Pharmacist License Renewal and Continuing Pharmacy Education

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
7,817	Renewal Application Fee \$225.00	\$1,758,825.00
782	Paper Application Renewal Postage \$0.45	\$351.90
7,035	Online Renewal Vendor Processing Fee \$3.00	\$21,105.00
107	Delinquent Renewal Fee \$250.00	\$26,750.00
875	Continuing Education Audit Postage \$0.45	\$393.75
32	Continuing Education Delinquent Fee \$1,000.00	\$32,000.00
Estimated Biennial Cost of Compliance for the Life of the Rule		\$1,839,425.65

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. Based on the board's renewal average for the last three renewal cycles, the board estimates approximately 7,817 renewal applications will be filed biennially.
3. Currently, licensees may opt to renew online or by mail. The board has experienced a significant increase in online renewal submissions for pharmacists. In 2010, approximately 95% of licensees renewed online. Based on the current online renewal averages for the 2008 and 2010 renewal periods, it is estimated that no more than 10% of the estimated 7,827 renewal applications will be submitted by mail (approx. 782) while 90% of applications will be submitted online (@ 7,035).
4. The online renewal vendor processing fee is established by the State of Missouri's approved online payment vendor and is not established by, or paid to, the Board of Pharmacy. The vendor processing fee is based on currently assessed rates and may be subject to change by the vendor.
5. The required continuing education classes and specific continuing education hours are required by § 338.060, RSMo and not by rule. Accordingly, costs imposed by statute have not been included herein.
6. The majority of pharmacy continuing education courses are approved by the Accreditation Council for Pharmaceutical Education and would not require approval by the board under the proposed rule. The board's estimate of potential continuing education approval requests is based on the number of approval requests currently approved by the board. Continuing education providers may opt, however, to file approval requests electronically and eliminate postage costs.
7. Delinquent renewal and delinquent continuing education costs were estimated based on an average of the board's delinquent renewal/CE fees for FY 2008 and FY 2010.

Note: The board is statutorily obligated to enforce and administer the provisions of Chapter 338 RSMo. Pursuant to Section 338.070, RSMo, the board shall by rule and regulation set the amount of fees authorized by Chapter 338, RSMo so that the revenue produced is sufficient, but not excessive, to cover the cost and expense to the board for administering the provisions of Chapter 338, RSMo.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2220—State Board of Pharmacy
Chapter 7—Licensing**

PROPOSED RULE

20 CSR 2220-7.090 Fingerprint Requirements

PURPOSE: This rule establishes guidelines for the submission of fingerprints by applicants.

(1) Applicants for licensure or registration required to provide fingerprints to the board shall include:

(A) All pharmacist applicants, including, applicants by examination, score transfer, reciprocity/transfer, and foreign graduates;

(B) Drug distributor license manager-in-charge (unless currently licensed as a pharmacist in the state of Missouri);

(C) Pharmacy technician applicants;

(D) Owners with a ten percent (10%) or more interest in a drug distributor applicant (non-publicly held companies only); and

(E) Intern pharmacist applicants.

(2) An applicant required to submit fingerprints pursuant to this rule shall submit fingerprints for the purpose of conducting a criminal background check by the Missouri State Highway Patrol (MSHP) and Federal Bureau of Investigation (FBI). The applicant shall provide proof of submission of fingerprints to MSHP's approved vendor(s) for both a MSHP and FBI criminal history background check. Proof shall consist of any documentation acceptable to the board. Any fees due for a fingerprint background check shall be paid by the applicant directly to the MSHP or its approved vendor(s).

(3) Information collected under this criminal history review will be held as confidential in accordance with state and federal laws governing the dissemination of criminal history information.

(4) The board may require an applicant to be fingerprinted again and pay any required fingerprinting fees, if the application process is not completed within six (6) months of the board's receipt of the application.

(5) The board may, in the course of an investigation of a licensee, require that fingerprints be submitted for a criminal history background check as provided for in this rule.

AUTHORITY: sections 338.020, 338.040, 338.070, and 338.280, RSMo 2000, and sections 338.035 and 338.140, RSMo Supp. 2012. Original rule filed Jan. 10, 2013.

PUBLIC COST: This proposed rule will increase revenue for the Missouri State Highway Patrol by approximately two hundred ninety-eight thousand nine hundred twenty-five dollars (\$298,925) annually for the life of the rule.

PRIVATE COST: This proposed rule will cost private entities approximately two hundred ninety-eight thousand nine hundred twenty-five dollars (\$298,925) annually for the life of the rule.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed rule with the Missouri State Board of Pharmacy, PO Box 625, 3605 Missouri Boulevard, Jefferson City, MO 65102, by facsimile at (573) 526-3464, or via email at pharmacy@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the Missouri Register. No public hearing is scheduled.

PUBLIC FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.090 Fingerprint Requirements

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Affected Agency or Political Subdivision	Estimated Revenue	
Missouri State Highway Patrol (MSHP)	\$298,925.25	
	Total Annual Revenue for the Life of the Rule	\$298,925.25

III. WORKSHEET

Annual Revenue

Affected Agency	Fees Received	Quantity	Total Revenue
MSHP	Drug Distributor Fingerprint Fees \$49.45	303	\$14,983.35
MSHP	Intern Pharmacist Fingerprint Fee \$49.45	559	\$27,642.55
MSHP	Pharmacy Technician Fingerprint Fee \$49.45	4700	\$232,415.00
MSHP	Pharmacist Fingerprint Fee \$49.45	483	\$23,884.35
	Total Annual Revenue for the Life of the Rule		\$298,925.25

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. The estimated number of fingerprint applicants for all classifications is based on an average of the board's annual total of new applications received for each category.
3. The estimated fingerprinting fee is a pass through fee determined by the Federal Bureau of Investigation and the Missouri State Highway Patrol. The Board does not establish or receive fingerprint fees.

PRIVATE FISCAL NOTE

I. RULE NUMBER

Title 20 - Department of Insurance, Financial Institutions and Professional Registration

Division 2220 - Missouri Board of Pharmacy

Chapter 7 - Licensing

Proposed Rule - 20 CSR 2040-7.090 Fingerprint Requirements

Prepared October 31, 2012 by the Division of Professional Registration

II. SUMMARY OF FISCAL IMPACT

Note: The requirements of the proposed rule are currently promulgated in Chapter 20 CSR 2220-2. The current requirements are being rescinded and moved to a newly designated Chapter 20 CSR 2220-7. Accordingly, the proposed rule will not impose any costs or fees that do not currently exist by law or rule.

Estimate the number of entities by class which would likely be affected by the adoption of the proposed amendment:	Classification by type of the business entities which would likely be affected:	Estimated cost of compliance with the amendment by affected entities:
303	Drug Distributor Fingerprint Fee \$49.45	\$14,983.35
559	Intern Pharmacist Fingerprint Fee \$49.45	\$27,642.55
4,700	Pharmacy Technician Fingerprint Fee \$49.45	\$232,415.00
483	Pharmacist Fingerprint Fee \$49.45	\$23,884.35
	Estimated Annual Cost of Compliance for the Life of the Rule:	\$298,925.25

III. WORKSHEET

See Table Above

IV. ASSUMPTION

1. The board anticipates the total estimated cost will recur annually for the life of the rule, may vary with inflation and is expected to increase at the rate projected by the Legislative Oversight Committee.
2. The estimated number of fingerprint applicants for all classifications is based on an average of the board's annual total of new applications received for each category.
3. The estimated fingerprinting fee is a pass through fee determined by the Federal Bureau of Investigation and the Missouri State Highway Patrol. The board does not establish or receive fingerprint fees.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 2—Licensure Requirements for Veterinarians**

PROPOSED AMENDMENT

20 CSR 2270-2.060 Reciprocity. The board is proposing to amend subsection (3)(D).

PURPOSE: This amendment clarifies the number of times an applicant can take the exam to qualify for licensure by reciprocity.

(3) The applicant shall—

(D) Request the national testing service to send evidence that the applicant has taken and received a passing score on both the National Board Examination and Clinical Competency Test or the North American Veterinary Licensing Examination (NAVLE). **Effective August 28, 1999, no person may take any examination more than four (4) times either in or out of Missouri to qualify for licensure in Missouri; and**

AUTHORITY: sections 340.210, 340.228, 340.232, and 340.238, RSMo 2000, and section 340.234, RSMo Supp. [2007] 2012. This rule originally filed as 4 CSR 270-2.060. Original rule filed Nov. 4, 1992, effective July 8, 1993. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102-0633, by facsimile at (573) 526-3856, or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 3—Registration Requirements for Veterinary
Technicians**

PROPOSED AMENDMENT

20 CSR 2270-3.030 Reciprocity. The board is proposing to amend subsection (2)(D).

PURPOSE: This amendment clarifies the number of times an applicant can take the exam to qualify for licensure by reciprocity.

(2) The applicant shall—

(D) Request the national testing service to send evidence that the applicant has taken the Veterinary Technician National Examination (VTNE) and received a passing score as defined in 20 CSR 2270-3.020. **Effective August 28, 1999, no person may take any examination more than four (4) times either in or out of Missouri to qualify for licensure in Missouri.**

AUTHORITY: sections 340.210, [and] 340.238, 340.300, and 340.302, RSMo 2000, and sections 340.234 and 340.306, RSMo Supp. [2007] 2012. This rule originally filed as 4 CSR 270-3.030. Original rule filed Nov. 4, 1992, effective July 8, 1993. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102-0633, by facsimile at (573) 526-3856, or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the *Missouri Register*. No public hearing is scheduled.

**Title 20—DEPARTMENT OF INSURANCE,
FINANCIAL INSTITUTIONS AND PROFESSIONAL
REGISTRATION
Division 2270—Missouri Veterinary Medical Board
Chapter 4—Minimum Standards**

PROPOSED AMENDMENT

20 CSR 2270-4.042 Minimum Standards for Continuing Education for Veterinarians. The board is proposing to amend subsections (8)(E) and (G), delete subsection (8)(J), and renumber the subsequent subsections. The board is also amending the purpose statement.

PURPOSE: This amendment provides clarity and additional information to licensees obtaining continuing education hours.

PURPOSE: This rule defines the minimum standards for continuing education for veterinarians. [In August, 1999 Senate Bill 424 became effective which revised Chapter 340.]

(8) Workshops, seminars, and prepared materials on scientific and non-scientific subjects relating to veterinary medicine approved by or sponsored by the following organizations are approved:

(E) Any local or regional veterinary medical association **affiliated with a state veterinary medical association;**

(G) American veterinary schools accredited by the American Veterinary Medical Association **that are open to all licensees;**

[(J) Any national, regional, and specialty veterinary organizations;]

[(K)](J) Missouri State Veterinarian; and

[(L)](K) Other programs receiving prior approval from this board.

AUTHORITY: sections 41.946, 340.210, 340.258, and 340.268, RSMo 2000. This rule originally filed as 4 CSR 270-4.042. Original rule filed April 13, 2001, effective Oct. 30, 2001. For intervening history, please consult the *Code of State Regulations*. Amended: Filed Jan. 10, 2013.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed amendment will not cost private entities more than five hundred dollars (\$500) in the aggregate.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the Missouri Veterinary Medical Board, PO Box 633, Jefferson City, MO 65102-0633, by facsimile at (573) 526-3856, or via email at vets@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*

This section will contain the final text of the rules proposed by agencies. The order of rulemaking is required to contain a citation to the legal authority upon which the order or rulemaking is based; reference to the date and page or pages where the notice of proposed rulemaking was published in the *Missouri Register*; an explanation of any change between the text of the rule as contained in the notice of proposed rulemaking and the text of the rule as finally adopted, together with the reason for any such change; and the full text of any section or subsection of the rule as adopted which has been changed from that contained in the notice of proposed rulemaking. The effective date of the rule shall be not less than thirty (30) days after the date of publication of the revision to the *Code of State Regulations*.

The agency is also required to make a brief summary of the general nature and extent of comments submitted in support of or opposition to the proposed rule and a concise summary of the testimony presented at the hearing, if any, held in connection with the rulemaking, together with a concise summary of the agency's findings with respect to the merits of any such testimony or comments which are opposed in whole or in part to the proposed rule. The ninety-(90-) day period during which an agency shall file its order of rulemaking for publication in the *Missouri Register* begins either: 1) after the hearing on the proposed rulemaking is held; or 2) at the end of the time for submission of comments to the agency. During this period, the agency shall file with the secretary of state the order of rulemaking, either putting the proposed rule into effect, with or without further changes, or withdrawing the proposed rule.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092, 168.021, and 168.400, RSMo Supp. 2012, and section 168.011, RSMo 2000, the board amends a rule as follows:

5 CSR 20-400.310 Basic Education Competencies Required Prior to Admission to Approved Teacher Education Programs in Missouri **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1450-1452). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 160.276, 160.278, 160.281, and 160.283, RSMo 2000, the board rescinds a rule as follows:

5 CSR 20-400.340 Administrative Procedures for the Teacher Education Scholarship Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1453). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under section 161.415, RSMo Supp. 2012, and sections 161.418, 161.421, and 161.424, RSMo 2000, the board rescinds a rule as follows:

5 CSR 20-400.350 Administrative Procedures for the Minority Teaching Scholarship Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1453). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education under sections 161.092 and 173.232, RSMo Supp. 2012, the board rescinds a rule as follows:

5 CSR 20-400.420 Urban Flight and Rural Needs Scholarship Program **is rescinded**.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1453). No changes have been made in the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 400—Office of Educator Quality**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092 and 168.021, RSMo Supp. 2012, and sections 161.097 and 161.099, RSMo 2000, the board adopts a rule as follows:

5 CSR 20-400.440 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1453-1456). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication of the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received seven (7) comments regarding the proposed rule and the incorporated by reference materials.

COMMENT #1: The Department of Elementary and Secondary Education (department) received four (4) comments from Central Methodist University, William Woods University, University of Central Missouri, and University of Missouri commenting on the grade point average requirement being considered for teacher candidates.

RESPONSE AND EXPLANATION OF CHANGE: The department conducted a survey of the Top Ten (10) states and sixteen (16) other states regarding the concerns voiced about raising the grade point averages requirement. We used previously submitted data from Missouri educator preparation programs to determine the impact of increasing the grade point averages in the content areas. The department reviewed these comments regarding paragraph (5)(C)1. on the grade point average and reworded for clarity. No change was made in the grade point average requirements. The department added language to provide flexibility in meeting these requirements.

COMMENT #2: One (1) comment and several questions were received from the University of Missouri (UM) College of Education. These were compiled from a variety of faculty and professional staff concerning the incorporated by reference material. UM College of Education requested to have the last sentence removed in Standard 3.A. "Partnerships must include shared decision making; oversight on candidate selection; identification of expectations; performance based evaluation; and strong relationships between school districts and educator preparation programs." They would like to have clarification on what is a Pre-Masters Degree in Standard 3.C. UM College of Education requested a change in Standard 3.E. for clarification, as the requirements are unattainable given constraints of field placement opportunities. These requirements should not be included in early level placements.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comments and agreed to remove the language from the incorporated by reference material in Standard 3.A.; replaced Pre-Masters Degree with Bachelors Degree for clarification in Standard 3.C.; and reworded Standard 3.E. for clarification.

COMMENT #3: One (1) comment was received from University of Central Missouri asking about clarification regarding initial and advanced field and clinical experiences.

RESPONSE: The department reviewed the comment and no changes were made.

COMMENT #4: The department conducted an internal review and

requested the following changes be made for clarity and specificity to the rule and incorporated by reference material.

Changes to the rule—

- Section (1) remove the words "established and evaluated" and replace with "approved and accredited"; remove the words "along with a glossary"; and remove "which" and replace with "and."

- Section (2) remove "the glossary" and replace with "MoSPE."

- Subsection (3)(A) remove the words "Office of Educator Quality at the."

- Paragraph (3)(A)3. remove the "A" and add the words "and clinical."

- Subsection (4)(A) remove the word "may" and replace with "must."

- Subsection (4)(B) remove the word "institution" and replace with "program."

- Subsection (4)(D) add the words "the approval and" and change "remove" to "removing."

- Subsection (4)(E) add the words "educator preparation program and/or one (1) more of their individual areas certification" and removed the words "and/or educator preparation programs"; added the words "inform the educator preparation program with"; add the words "for the decision."

- Paragraph (5)(C)1. add the word "standards" in place of "documents" and remove "(2.75 on a 4.00 scale) and a grade point average no lower than 3.00 in the subject content area."

- Paragraph (5)(C)3. remove specific reference to the "two (2) full sets of fingerprints in a manner acceptable to the Highway Patrol and/or FBI and paying the required fees" and add generic language for flexibility in changing security procedures.

Changes in the incorporated by reference materials—

- Standard 3.C. Add "Candidates who do not meet these requirements may demonstrate competency via other measures approved by the board." Remove language referencing the Missouri Educator Evaluation System and provide clarity and specificity remove "Strong Developing to Proficient" and "Proficient or Distinguished"; add "of experience in PK-12 schools and/or educator preparation"; add "of experience in PK-12 schools and/or educator preparation"; add "2-3 years experience" and add "and/or educator preparation"; add "3 to 5 years" and add "and/or educator preparation."

- Standard 3.D. add "Building and District Leaders" and remove "School" and remove "University" and replace with "Field & Clinical"; add "3 to 5 Years" and remove "Extensive"; remove "Rating of Proficient or Distinguished on the Professional Continuum, Missouri/District Educator Evaluation System;" remove "Knowledge of the Missouri Core Academic Standards, Missouri Educator Standards and Quality Indicators, and Missouri Educator Evaluation System."

- Standard 3.E. add "Field experiences may be of an exploratory with planning and involvement of the PK-12 school partnerships." and remove "field and."

- Standard 3.G.9. remove word "Institutions" replace with "Programs."

- Standard 3.H. remove words "Proficient and Distinguished" and remove "Proficient and Distinguished."

- Standard 4. remove references to "Requirements and Transition Points for Initial Levels of Certification"; remove references to "First Year, Second Year, Third Year, and Fourth Year"; add "Educator Preparation Programs Should Establish Transition Points."; add "suggested" to the grade point averages in three columns; moved "No Professional Education Grade \leq C" to the requirements; remove "Rating of Proficient or Distinguished" and add "As defined by the department or the employing school district."

- Standard 5.D. add "educator preparation" and remove "shall" and add "should."

- Standard 5.E. add "educator preparation."

- Standard 6. remove "University" and add "entire program";

remove “colleges” and add “the entire program, the educator preparation program and/or the individual certification programs.”; remove “the institution”; remove “Unit” and add “Educator Preparation Programs and the Individual Certification Programs.”

- II.C.1. remove “demonstrated compliance with” and add “Met.”

- II.C.2. add “As a condition of receiving a classification designation of provisionally accredited, each program receiving this designation must maintain a current program improvement plan in a format approved by the department” and removed “A Program Improvement Team selected by the department for the purpose of working with an educator preparation program to improve their performance will be lead by a member of the department and include other professionals deemed necessary to support the educator preparation program in meeting the accountability measures. Educator preparation programs will have no longer than 2 years to meet the accountability measures.”

- II.C.3. add “not.”

RESPONSE AND EXPLANATION OF CHANGES: The department agreed to the internal review changes to add clarity and specificity to the rule and made the changes accordingly to the rule and the incorporated reference material.

5 CSR 20-400.440 Procedures and Standards for Approval and Accreditation of Professional Education Programs in Missouri

(1) Educator preparation programs in Missouri shall be approved and accredited according to the *Missouri Standards for the Preparation of Educators* (MoSPE), (November 2012), and are hereby incorporated by reference and made a part of this rule, as published by the Department of Elementary and Secondary Education, Educator Preparation, PO Box 480, Jefferson City, MO 65102-0480. This rule does not incorporate any subsequent amendments or additions.

(2) For the purpose of this rule, the official definition for all terms will be those articulated in MoSPE unless the context clearly indicates otherwise.

(3) Initial Approval.

(A) An educator preparation program seeking initial approval to offer either a traditional or an alternative professional education program shall submit a written proposal to the Department of Elementary and Secondary Education (department) addressing the elements discussed in this section. All such programs shall be reviewed by the department and approved by the State Board of Education (board) pursuant to MoSPE and as outlined below. Only those programs which the department determines to have merit and potential for providing quality preparation for candidate certification will be considered for approval. The proposals should include at a minimum the following elements:

1. A description of the proposed program based upon a statement of the purpose and objectives for an area of the public school curriculum and a statement of the nature of the proposed program that is consistent with those objectives, the mission of the organization, and the conceptual framework for the educator preparation programs. These statements shall be based on analyses of current practices and trends in the identified area of the public school curriculum;

2. A clearly formulated statement of the competencies for educators in the identified area of the public school curriculum. These competencies shall include subject knowledge and professional skills based upon current research and practice and shall include the competencies for educators identified in the MoSPE adopted by the board;

3. Curriculum matrix delineating the courses and supervised field and clinical experiences prescribed to address competencies appropriate for candidates to meet state certification requirements, a

description of the process by which the candidates will be prepared, and provisions for assessing candidates and keeping records of their progress through the program;

4. Identification of the administrative structure of the proposed program indicating where the responsibility is vested in the educator preparation program;

5. Clearly identified resources as stipulated by MoSPE to support the program. The continuing availability of the resources shall be assured for the duration of the program. Any resources not under the control of the program shall be defined and confirmed by the controlling agency; and

6. A written plan for the continuing evaluation of the proposed program that includes definition and specifications of the kinds of evidence that will be gathered and reported to the organization and the department at designated intervals. Evaluation reports shall provide information to identify areas in the program that need to be strengthened and/or to suggest new directions for program development.

(4) Accreditation.

(D) The commissioner may authorize an interim review of an educator preparation program in accordance with the rules and regulations promulgated by the board. As a result of the review, and upon the recommendation of the commissioner, the board may revoke the approval and accreditation thereby removing an educator preparation program's authorization to recommend candidates for certification.

(E) Should the board disapprove any educator preparation program and/or one (1) or more of their individual areas of certification, the commissioner shall notify the program of the decision and inform the educator preparation program with reasons for the decision.

(5) Alternative Program Considerations.

(C) An individual may become a candidate in an alternative certification program upon meeting the following criteria:

1. The individual shall have earned a bachelor's or higher degree in the content area or a closely allied field of the desired certificate of license from a regionally accredited institution and shall have a cumulative grade point average no lower than the Missouri requirements as stipulated in the MoSPE standards, which is incorporated by reference into this rule. The individual shall participate in a structured interview conducted by the educator preparation program for screening, diagnostic, and advising purposes;

2. The individual shall undergo a background check conducted by the Missouri State Highway Patrol (Highway Patrol) and/or the Federal Bureau of Investigation (FBI), which includes submitting to the department the required information in a manner acceptable to the Highway Patrol and/or FBI and paying the required fees; and

3. The candidate shall enter into a four- (4-) party academic contract with the educator preparation program offering the alternative program, an employing Missouri school district and the department, whereupon s/he shall receive a two- (2-) year provisional certificate of license to teach and shall—

- A. Be assigned by the school district a mentor who is engaged in professional education work comparable to the area the candidate is seeking certification for and who will observe and work with the candidate until the candidate completes the alternative program;

- B. Receive any additional assistance, as determined by the educator preparation program, until the candidate completes the alternative program;

- C. Participate in the employing school district's professional development programs;

- D. Participate in the employing school district's performance evaluation system; and

- E. Prior to the expiration of her/his provisional certificate of license, the candidate must successfully complete the exit assessment(s) designated by the board for the IPC certificate of license.

**Title 5—DEPARTMENT OF ELEMENTARY AND
SECONDARY EDUCATION
Division 20—Division of Learning Services
Chapter 600—Office of Early and Extended Learning**

ORDER OF RULEMAKING

By the authority vested in the State Board of Education (board) under sections 161.092 and 313.835, RSMo Supp. 2012, the board adopts a rule as follows:

5 CSR 20-600.130 is adopted.

A notice of proposed rulemaking containing the text of the proposed rule was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1457-1459). Those sections with changes are reprinted here. This proposed rule becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: The board received comments from five (5) individuals regarding the proposed rule.

COMMENT #1: Received two (2) comments from Senator Brian Munzlinger, District 18, and Arlen Provancha, retired superintendent, expressing inconsistency in the document with regard to the students' age. Throughout the course of the text, the age of the children taking part in the program is described as "age-eligible children," "children ages three (3) to five (5)," "preschool children," and "children that are one (1) to two (2) years prior to kindergarten entry."

RESPONSE AND EXPLANATION OF CHANGE: Department of Elementary and Secondary Education (department) reviewed the comments and will amend subparagraphs (1)(D)6.D., (1)(D)8.C., and (1)(D)8.F. using the term "age-eligible" to be consistent within the rule.

COMMENT #2: Received three (3) comments from Pam Little, Calhoun MPP Coordinator; Bob Comer, Bradleyville School Administrator; and John James, Mid Buchanan Superintendent. There is concern that the proposed rule will phase out state funds for the Missouri Preschool Programs after five (5) years.

RESPONSE: The department reviewed the comment and determined no change will be made. The department will continue to establish quality preschool classrooms across Missouri with these funds. It is the program's responsibility to create a funding plan for sustaining the classroom once state funding has ended.

COMMENT #3: Received two (2) comments from Senator Brian Munzlinger, District 18, and Arlen Provancha, retired superintendent. Paragraph (1)(A)1. states "Start-up funds for necessary materials, supplies, equipment, and facilities" and does not include initial training associated with required curriculum training.

RESPONSE: The department reviewed the comment and determined no change will be made. The term "start-up" is written in the law and does not limit how funding is provided to Missouri Preschool Program (MPP) programs, therefore a program may include initial training costs as an allowable expense.

COMMENT #4: Received two (2) comments from Senator Brian Munzlinger, District 18, and Arlen Provancha, retired superintendent. The requirement of an annual health and nutrition screening and a developmental screening is not listed in the rule under Child Development, Education, and Care Plan.

RESPONSE: The department reviewed the comment and determined no change will be made. This item is addressed in paragraph (1)(C)15.

COMMENT #5: Received one (1) comment from Senator Brian

Munzlinger, District 18, regarding subparagraph (1)(D)8.B. Funding Plan should read one hundred eighty-five percent (185%) instead of eighty-five percent (85%).

RESPONSE: The department reviewed the comment and determined no change will be made. The rule published in the October 1, 2012, *Missouri Register* reflects the correct number, one hundred eighty-five percent (185%).

COMMENT #6: Received one (1) comment from Senator Brian Munzlinger, District 18. In paragraph (1)(E)3. the phrase ". . . is on file with the Early Learning Section within the department" does not provide clarity.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comment and will amend paragraph (1)(E)3. to provide a distinction between the Department of Health and Senior Services and the department.

COMMENT #7: Received one (1) comment from Senator Brian Munzlinger, District 18. The Fiscal Year should be 2013 and not 2012 on the front page.

RESPONSE: The department reviewed the comment and determined no change will be made. Fiscal year 2012 was referenced in the informational description of the State Board Report; it is not identified in the rule.

COMMENT #8: Received one (1) comment from Arlen Provancha, retired superintendent. In subparagraph (1)(D)8.C. the statement "Information must include how program growth issues will be addressed such as recruitment methods" should be moved to subparagraph (1)(D)8.B. in Funding plan.

RESPONSE AND EXPLANATION OF CHANGE: The department reviewed the comment and will amend subparagraphs (1)(D)8.C. and (1)(D)8.B.

COMMENT #9: Received one (1) comment from Arlen Provancha, retired superintendent. Regarding paragraph (1)(D)6., the specific curriculum models have not been included in the rule.

RESPONSE: The department reviewed the comment and determined no change will be made. Listing specific curriculums in the rules would limit the programs' ability to request additional curriculums for consideration.

COMMENT #10: Received one (1) comment from Arlen Provancha, retired superintendent. The rule has a one (1) but no two (2) in the outline.

RESPONSE: The department reviewed the comment and determined no change will be made. The format of the rule follows the rule making procedures.

COMMENT #11: Received one (1) comment from John James, Mid Buchanan Superintendent. The rules should be written so that any money not going to new start-up MPP grants or programs in their first three (3) years can be distributed to all previously contracted MPP programs rather than being redirected to other projects.

RESPONSE: The department reviewed the comment and determined no change will be made. This comment reflects the allocation to the department not the rule for the implementation of MPP.

5 CSR 20-600.130 General Provisions Governing Programs Authorized Under Early Childhood Development, Education, and Care

(1) The Department of Elementary and Secondary Education (department) is authorized to establish procedures for the implementation of the Missouri Preschool Program (MPP) including:

(D) Program Development Requirements.

1. The contractor must agree and understand that the department must have complete and total approval authority of the contractor's

activity plan or any part thereof and must have the expressed right to modify, change, or delete all or any part of the plan at any time.

2. The contractor may be required to develop and submit a new or revised activity plan at other times throughout the contract period as well as for each renewal period, if the contract is renewed for additional periods. The contractor must prepare and submit all such future activity plans within a time frame stipulated by the department.

3. Community involvement. A community advisory committee must assist in planning the Preschool Program for age-eligible children and in completing the Community Needs Assessment.

4. Community-based planning. Strong community commitment, leadership, and planning are critical to the success of the programs and services offered under the MPP.

A. Step I—Administration. The contractor appoints an administrator who has both leadership ability and a strong commitment to early childhood education, especially preschool education. This administrator must be able to—

(I) Be knowledgeable and respectful of preschool opportunities within the community;

(II) Set goals and coordinate implementation timetables;

(III) Analyze the results of the programs;

(IV) Exercise sufficient authority within a collaborative framework to accomplish the desired results;

(V) Be knowledgeable about business practices necessary to successfully sustain the program; and

(VI) Report regularly to the Community Advisory Committee and should be prepared to manage a program organizational structure consisting of several different types of operation.

B. Step II—Community Advisory Committee. The Community Advisory Committee, whose membership of citizens representing a variety of community organizations, is established. Primary responsibilities of the Community Advisory Committee are to—

(I) Assist in gathering information needed to complete the Community Needs Assessment;

(II) Make recommendations on the goals and objectives of the MPP;

(III) Assist on options for coordinating programs and services among community, school, and other preschool programs;

(IV) Assist in the Invitation For Bid (IFB) process; and

(V) Serve as a resource.

C. Step III—Program Design. Based on the community needs assessment, the program will be designed to meet the needs of each community.

5. Teacher qualifications. All preschool programs funded by the MPP must utilize teachers and teacher assistants who have one (1) of the following minimum qualifications at the time the program begins operation. These qualifications must be maintained throughout the contract period.

A. Lead teacher—

(I) Early Childhood Teacher Certification;

(II) Early Childhood Special Education Teacher Certificate; or

(III) A four- (4-) year college degree in child development.

B. Teacher assistant, at a minimum—

(I) Child Development Associate;

(II) Two- (2-) Year Associate Degree in Child Care/Education; or

(III) Sixty (60) college hours with a minimum of three (3) college credit hours in early childhood, child development, or child/family related courses and experience working in a program with young children and their families.

6. Curriculum models. Preschool programs must implement a nationally recognized preschool curriculum model that is approved by the department. The lead teacher and teacher assistant involved in the MPP must be trained in the curriculum model. It is also highly recommended that the director/program administrator be trained in the chosen curriculum model. All curriculum trainings must be pro-

vided by the curriculum source. Programs must contact the source to schedule trainings. Any training not scheduled through the source will not be funded and will not meet the requirement. The selected preschool curriculum models meet the following criteria:

A. Based on valid research;

B. Have positive evaluation results;

C. Provide ongoing professional development; and

D. Developmentally appropriate for age-eligible children.

7. Accreditation. Programs are required to obtain accreditation from either the MoA or the NAEYC. The program must be accredited prior to the beginning of year four (4) operation. MPP operating in a center will be required to accredit the entire center including the infant/toddler classrooms and school age classrooms.

8. Plans for program activities.

A. Parent advisory committee plan. An advisory committee of parents with children in the MPP classrooms must meet at least twice annually. The plan should include the roles of the members, selection procedure, replacement procedure, number of members, and frequency of meetings.

B. Funding plan. The plan must demonstrate funding from a variety of sources including parental fees. A sliding scale fee schedule based on family income is required for families whose income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. Information must include how program growth issues will be addressed such as recruitment methods.

C. Child development, education, and care plan. The plan should describe how the preschool program will be designed and how it will meet the needs of age-eligible children as identified from the Community Needs Assessment.

D. Professional development plan. Professional development opportunities include college-credit courses, follow-up/advanced training of the selected curriculum model provided only by the approved curriculum source, professional conferences, seminars, consultants, and the department-required meetings. MPP funds only support professional development opportunities that are in addition to the DHSS required clock hours for child care providers. The plan should include a list of the specific professional development opportunities to be provided. Evidence of continuous professional development associated with the selected curriculum model must be included each year in the plan. Professional development opportunities should reflect the general philosophy of the selected curriculum model.

E. Parent education/involvement/communication plan. The plan must address how parents will be informed about their child's development, opportunities to be involved in the preschool program, and how the preschool program will communicate with parents on an ongoing basis. Preschool programs are strongly recommended to collaborate with the district's Parents as Teachers program for parent education. Parent involvement could include serving on the Parent Advisory Committee, classroom volunteer, forming a preschool parent organization, etc. Communication with parents could include newsletters, parent-teacher conferences, phone calls, etc.

F. Community set-aside plan. The community set aside is a portion of the award that may be designated to provide professional development opportunities for licensed early care and education providers within the contractor's community. These licensed providers must be caring for age-eligible children.

(E) Funding.

1. Funds may be requested for costs associated with expenses necessary to implement a quality preschool program.

2. These may include the following:

A. Initial staff training on a selected curriculum model;

B. Minor remodeling associated with licensing requirements;

C. Appropriate equipment;

D. Necessary furniture; and

E. Appropriate staffing.

3. Payments will not be made until the program has met contractual requirement; the program is licensed from the DHSS,

Section for Child Care Regulation; and a copy of the licensed certificate is submitted to the department.

4. Subject to appropriations and the phased reduction, subsequent contract amounts may be reduced.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission rescinds a rule as follows:

11 CSR 45-4.050 Application Period and Fees for Class A License is rescinded.

A notice of proposed rulemaking containing the proposed rescission was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1461). No changes have been made to the proposed rescission, so it is not reprinted here. This proposed rescission becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed rescission on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.055 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1461–1462). Changes have been made to the text of the proposed amendment, so it is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No written comments were received.

COMMENT: At the public hearing on this proposed amendment on November 7, 2012, at 10:00 a.m., Mike Winter, Executive Director of the Missouri Gaming Association appeared representing the Class A and Class B licensees in the state of Missouri. On behalf of his clients, Mr. Winter expressed objection to the deletion of language from the original rule which entitled each Class A to one (1) free Class B license.

Mr. Winter indicated that his clients had calculated the cost to the casinos of the deletion of the language to be one hundred fifty thousand dollars (\$150,000) per year in the aggregate by the elimination of the free Class B license that the prior license rule provided to each Class A licensee and indicated their belief that a fiscal note should have been filed with the proposed amendment.

RESPONSE AND EXPLANATION OF CHANGE: The alteration

to this proposed amendment is to clarify that the change made brings the rule into compliance with the provisions of subsection 313.807.1, RSMo, and a fiscal note was prepared and attached hereto.

11 CSR 45-4.055 Application Period and Fees for Class A and Class B Licenses

(4) The annual fee for a Class A license and a Class B license shall be twenty-five thousand dollars (\$25,000) each, said amount being the minimum statutory annual license fee for anyone licensed under subsection 313.807.1, RSMo, and is due upon issuance of the initial license and thereafter is due annually. The Class A and all Class B licenses owned by the same Class A license shall renew all licenses within the same month, after the second year. The commission may adjust renewal dates of the Class A and Class B licenses so as not to consume commission resources in any particular month. Any such adjustments shall result in a pro rata adjustment of fees. This fee is nonrefundable and is due regardless of whether the renewal applicant obtains a renewed license. The applicant or licensee shall be assessed fees, if any, to cover the additional costs of the investigation.

REVISED PRIVATE COST: This rule brings the annual application fee of twenty-five thousand dollars (\$25,000) for each Class A and Class B license into compliance with the language of subsection 313.807.1., RSMo. A revised private fiscal note is published with this order of rulemaking reflecting the total annual cost of one hundred fifty thousand dollars (\$150,000).

**REVISED FISCAL NOTE
PRIVATE COST**

- I. Department Title: 11—DEPARTMENT OF PUBLIC SAFETY**
Division Title: 45—Missouri Gaming Commission
Chapter Title: 4—Licenses

Rule Number and Title:	11 CSR 45-4.055 Application Period and Fees for Class A and Class B Licenses
Type of Rulemaking:	Order of Rulemaking

II. SUMMARY OF FISCAL IMPACT

Estimate of the number of entities by class which would likely be affected by the adoption of the rule:	Classification by types of the business entities which would likely be affected:	Estimate in the aggregate as to the cost of compliance with the rule by the affected entities:
6 Class A Licensees	Class A Excursion Gambling Boat Licensees	\$150,000 Annually

III. WORKSHEET

The estimated annual cost for the Class A and Class B licenses is—
 $\$25,000 \times 6 = \$150,000$

IV. ASSUMPTIONS

This rule brings the cost the annual license fee into compliance with the provisions of subsection 313.807.1, RSMo. Based on the language of the statute, \$25,000 is the minimum annual license fee for anyone licensed pursuant to that subsection. This rule does not make any change to the amount of the statutory fee; it removes the entitlement to one license at no additional fee, which was contrary to the express language of the statute.

The anticipated total costs for this rule will recur annually for the life of the rule.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.190 is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1462). Changes have been made to the text of the proposed amendment, so the section with changes is reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. MGC staff had one (1) comment.

COMMENT: MGC staff commented that the time frame for the license renewal after the first two (2) years should be set at one hundred eighty (180) days rather than ninety (90) days.

RESPONSE AND EXPLANATION OF CHANGE: The change will be made.

11 CSR 45-4.190 License Renewal

(1) At least ninety (90) days before the first and second anniversary of its license and one hundred eighty (180) days before the anniversary date for each subsequent four (4) years thereafter, each Class A and Class B licensee shall file for license renewal on forms available on the commission's website.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.205 Affiliate Supplier's License is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1462). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.240 Supplier's License Application and Annual Fees is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1462–1463). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.250 Supplier's License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1463). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.260 Occupational Licenses for Class A, Class B, Suppliers and Affiliate Suppliers is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1463). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

**11 CSR 45-4.380 Occupational and Key Person/Key Person
Business Entity License Application and Annual Fees
is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1463–1464). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 4—Licenses**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-4.390 Occupational License Renewal is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1464). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. No written comments were received.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 5—Conduct of Gaming**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

**11 CSR 45-5.184 Table Game Cards—Receipt, Storage,
Inspections, and Removal from Use is amended.**

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1464–1466). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This pro-

posed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. No one commented at the public hearing. The Missouri Gaming Association (MGA) submitted four (4) written comments on the proposed amendment.

COMMENT #1: MGA commented the current rule as stated in 11 CSR 45-5.184(7) requires a floor supervisor to verify a card inspection has been conducted by a dealer. As presently drafted, the proposed amendment would require observation of the card inspection. It is important to keep in mind that floor supervisors are responsible for overseeing multiple table games at any given time. We feel this new threshold is excessive and would make it extremely difficult for these supervisors to carry out their responsibilities. We would suggest instead the following, “. . . inspected by the floor supervisor or above in the presence of a dealer or provided to the dealer for their own inspection. The dealer inspection shall be done under the coverage of surveillance.” Surveillance coverage should be able to satisfy questions which may arise during the dealer’s inspection.

RESPONSE: The current requirement for the supervisor to “verify” already requires active observation by the supervisor. Some properties currently have the supervisor conduct a second inspection to “verify” the dealer’s. We felt that was excessive and observation is sufficient. Surveillance does not actively monitor every card inspection. Supervisors should supervise a reasonable area of responsibility. No change has been made as a result of this comment.

COMMENT #2: MGA commented they would like to raise an issue about the changes in 11 CSR 45-5.184(8) and (12). Both of these provisions deal with recording of certain information on card boxes before putting the cards in play and after they have been taken out of play. We believe the proposed changes and the requirement to record certain information on the deck boxes is duplicative. This same information will be recorded on the bags or multiple deck boxes the cards are delivered to the table or on those same bags or boxes after they are removed from play. We would request the commission revisit the proposed changes to these two (2) provisions.

RESPONSE: Logging time on each deck box maintains a continuous record from the time the deck is opened until the deck is cancelled or destroyed. The collection bags are not required until the decks are removed from play until they are inspected by security. This does not address the need to track the cards time on the table before replacement. It seems less complicated to use the existing spaces on the deck boxes rather than create an additional form. No change has been made as a result of this comment.

COMMENT #3: MGA commented regarding the proposed changes in 11 CSR 45-5.184(18)(A), we would request additional clarification regarding the phrase “primary” and “secondary” storage location. As drafted we are unsure what would be defined as secondary storage. We do not believe it is your intent to define the pit area as “secondary storage” and would request clarification to insure the pit area is not encompassed in secondary storage location. If your intent is to define the pit as secondary storage, we would be opposed to such a definition.

RESPONSE: Primary and secondary card storage areas are clearly addressed in 11 CSR 45-5.184(1). Secondary storage is simply an additional physical location for a portion of the unused card inventory. A pit podium would not be feasible as a secondary storage location since the cards would have to “be transferred to the primary card storage area before being distributed to the pits or tables.” No change has been made as a result of this comment.

COMMENT #4: MGA commented that 11 CSR 45-5.184(19) states “Cards shall be destroyed or cancelled prior to removal from inventory.” We would like some clarification regarding from “what inventory”? Any decks removed from the primary storage area have been

removed from the card inventory ledger as referenced in 11 CSR 45-5.184(18)(A)2.

RESPONSE: Similar wording is already used in MICS Chapter F §8.17. All cards delivered to the casino should be accounted for until no longer playable. The number of cards used each day should be reflected in the subsequent card destruction log. See the current 11 CSR 45-5.184(17) and MICS Chapter F §8.16(B) "Verify on a daily basis the number of decks stored, distributed, destroyed or cancelled, and returned to the storage area; . . ." No change has been made as a result of this comment.

**Title 11—DEPARTMENT OF PUBLIC SAFETY
Division 45—Missouri Gaming Commission
Chapter 8—Accounting Records and Procedures; Audits**

ORDER OF RULEMAKING

By the authority vested in the Missouri Gaming Commission (MGC) under section 313.805, RSMo Supp. 2012, the commission amends a rule as follows:

11 CSR 45-8.130 Tips and Gifts is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 1, 2012 (37 MoReg 1466–1467). No changes have been made to the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: A public hearing was held on this proposed amendment on November 7, 2012. Mike Winter, Executive Director, Missouri Gaming Association (MGA) commented at the public hearing and supplied a written comment following the hearing.

COMMENT: Mike Winter on behalf of the MGA stated their concern is that normal transactions between employees of our properties and possible players or patrons could inadvertently be covered underneath the proposed addition of "loans" in the regulation. They would suggest adding the following sentence after the first sentence in section (4). The addition would read "This prohibition is limited to solicitations at the applicant's or licensee's place of employment or work."

RESPONSE: The commission added loans to this rule to close a loophole regarding complaints from patrons who have not been repaid after loaning an employee money. The intent of this amendment is to provide a level of protection to players and patrons who might be approached to make a loan to an employee. No change has been made as a result of this comment.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 2—Membership and Benefits**

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-2.120 Benefits Upon Participant's Death is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2012 (37 MoReg 1533–1534). No changes have been made in the text

of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 10—County Employees' Defined Contribution Plan**

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-10.030 Contributions is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2012 (37 MoReg 1534). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 10—County Employees' Defined Contribution Plan**

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-10.050 Distribution of Accounts is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2012 (37 MoReg 1534–1535). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

**Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 10—County Employees' Defined Contribution Plan**

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-10.080 Plan Administration is amended.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15,

2012 (37 MoReg 1535). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 10—County Employees' Defined Contribution Plan

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-10.090 Miscellaneous Defined Contribution Plan
Rules **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2012 (37 MoReg 1535). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Title 16—RETIREMENT SYSTEMS
Division 50—The County Employees' Retirement Fund
Chapter 20—County Employees' Deferred Compensation Plan

ORDER OF RULEMAKING

By the authority vested in the County Employees' Retirement Fund Board of Directors under section 50.1032, RSMo 2000, the board amends a rule as follows:

16 CSR 50-20.120 Additional Provisions **is amended**.

A notice of proposed rulemaking containing the text of the proposed amendment was published in the *Missouri Register* on October 15, 2012 (37 MoReg 1535–1536). No changes have been made in the text of the proposed amendment, so it is not reprinted here. This proposed amendment becomes effective thirty (30) days after publication in the *Code of State Regulations*.

SUMMARY OF COMMENTS: No comments were received.

Updated: 1/3/2013 8:31:40

Construction Transient Employers

The following is a list of all construction contractors performing work on construction projects in Missouri who are known by the Department of Revenue to be transient employers pursuant to Section 285.230, RSMo. This list is provided as a guideline to assist public bodies with their responsibilities under this section that states, "any county, city, town, village or any other political subdivision which requires a building permit for a person to perform certain construction projects shall require a transient employer to show proof that the employer has been issued a tax clearance and has filed a financial assurance instrument as required by Section 285.230 before such entity issues a building permit to the transient employer."

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
2 POINT CONSTRUCTION CO LLC	8004 REEDER	LENEXA	KS	66214
2H&V CONSTRUCTION SERVICES LLC	811 S DEPOT STREET	BONIFAY	FL	32425
3 G CONSTRUCTION COMPANY	1820 E DEER VALLEY RD	PHOENIX	AZ	85024
6AWS CUSTOM FLOORING INC	201 WEST JEFFERSON ST	ANNA	IL	62906
A & B PROCESS SYSTEMS CORP	201 S WISCONSIN AVE	STRATFORD	WI	54484
A & K RENTALS LLC	11325 EIFF RD	MARISSA	IL	62257
A I E S CONSTRUCTION LLC	64 SHADY LANE	BELLEVILLE	IL	62221
A I INTERNATIONAL INC	414 TERRY BLVD	LOUISVILLE	KY	40229
A MALLORY CONCRETE CONTRACTING INC	17601 STORAGE ROAD #7	OMAHA	NE	68145
A TURF INC	505 AERO DR	CHEEKTOWAGA	NY	14225
ABAT BUILDERS INC	10700 W HIGGINS RD ST 350	ROSEMONT	IL	60018
ABAYLA CONTRACTING SERVICES INC	38 BETA CT STE C7	SAN RAMON	CA	94583
ABC CONSTRUCTION INC	ABC 15723 S STAGECOACH DR	OLATHE	KS	66062
ACE REFRIGERATION OF IOWA INC	6440 6TH ST SW	CEDAR RAPIDS	IA	52404
ACE/AVANT CONCRETE CONSTRUCTION CO INC	109 SEMINOLE DR	ARCHDALE	NC	27263
ACME ELECTRIC COMPANY OF IOWA	3353 SOUTHGATE COURT SW	CEDAR RAPIDS	IA	52404
ACRONYM MEDIA INC	350 5TH AVE STE 5501	NEW YORK	NY	10118
ACTION INSTALLERS INC	1224 CAMPBELL AVE SE	ROANOKE	VA	24013
ADVANCED EROSION SOLUTIONS LLC	5920 NALL AVE SUITE 308	MISSION	KS	66202
ADVANCED PROPERTY PRESERVATION INC	941 BLUE HERON CT	BELLEVILLE	IL	62223
AE MFG INC	2505 S 33RD W AVE	TULSA	OK	74157
AHRS CONSTRUCTION INC	533 RAILROAD ST	BERN	KS	66408
AJ FLOORING INC	2005 KIMBER ROAD	DONGOLA	IL	62926
ALLENTECH INC	3184 AIRPORT ROAD	BETHLEHEM	PA	18017
ALLIANCE INTEGRATED SYSTEMS INC	1500 STUDEMONT	HOUSTON	TX	77007
ALS CONSTRUCTION INC	16506 PINE VALLEY ROAD	PINE	CO	80470
ALTRESS TRUCKING INC	220 W 440 N	WASHINGTON	IN	47501
AM COHRON & SON INC READY MIX CONCRETE	PO BOX 479	ATLANTIC	IA	50022
AMERICAN AIR CONDITIONING & MECHANICAL INC	4315 N THOMPSON	SPRINGDALE	AR	72764
AMERICAN COATINGS INC	612 W IRIS DR	NASHVILLE	TN	37204
AMERICAN HYDRO	1029 IRS AVE	BALTIMORE	MD	21205
AMERICAN LIFT & SIGN SERVICE COMPANY	6958 NO 97TH PLAZA	OMAHA	NE	68122

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
AMERICAN PRESERVATION BUILDERS LLC	8111 ROCKSIDE RD STE 101	VALLEY	OH	44125
AMERICAN SUNCRAFT CO INC	10836 SCHILLER ROAD	MIDWAY	OH	45341
AMERICAN VINYL SIDING SERVICES INC	520 SOUTHWELL LANE	BROOKLET	GA	30415
AMERITAS PROTECTION SERVICES	22645 141ST TERRACE	BASEHOR	KS	66007
AMES CONSTRUCTION INC	2000 AMES DRIVE	BURNSVILLE	MN	55306
AMRENT CONTRACTING INC	3981 STATE RT 3 NORTH	CHESTER	IL	62233
ANDY J EGAN CO INC	2001 WALDORF NW STE 200	WALKER	MI	49544
ANGELO IAFRATE CONSTRUCTION COMPANY	26400 SHERWOOD	WARREN	MI	48091
ANTIGO CONSTRUCTION INC	2520 N CLERMONT ST	ANTIGO	WI	54409
AOI CORPORATION	8801 S 137TH CIR	OMAHA	NE	68138
APOLLO VIDEO TECHNOLOGY	14148 NE 190TH ST	WOODINVILLE	WA	98072
AQUATIC EXHIBITS INTERNATIONAL INC	61 07 77 STREET	MIDDLE VILLAGE	NY	11379
AQUATIC HABITATS INC	2395 APOPKA BLVD	APOPKA	FL	32703
AQUILEX HYDROCHEM LLC	900 GEORGIA AVENUE	DEER PARK	TX	77536
ARCHER WESTERN CONTRACTORS LLC	PAYROLL 929 W ADAMS ST	CHICAGO	IL	60607
ARCHITECTURAL WALL SYSTEMS CO	3000 30TH ST	DES MOINES	IA	50310
ARISTEO CONSTRUCTION CO	12811 FARMINGTON RD	LIVONIA	MI	48150
ARISTEO INSTALLATION LLC	12811 FARMINGTON	LIVONIA	MI	48150
ARNOLDS CUSTOM SEEDING LLC	4626 WCR 65	KEENESBURG	CO	80643
ASPHALT STONE COMPANY	520 N WEBSTER	JACKSONVILLE	IL	62650
ASSOCIATED GROCERS OF THE SOUTH INC	3600 VANDERBILT ROAD	BIRMINGHAM	AL	35217
ATLANTIC ENGINEERING GROUP INC	1136 ZION CHURCH RD	BRASELTON	GA	30517
ATLANTIC PAINTING CO INC	10019 SOUTHWEST HWY	OAK LAWN	IL	60453
ATWOOD ELECTRIC INC	23124 HIGHWAY 149	SIGOURNEY	IA	52591
B & B CONTRACTORS INC	4300 EDISON AVE	CHINO	CA	91710
B & M WEST CONSTRUCTION OF TEXAS LP	2571 HWY 60 WEST	BARTOW	FL	33830
B D WELCH CONSTRUCTION LLC	120 INDUSTRIAL STATION RD	STEELE	AL	35987
BALLOU PAVEMENT SOLUTIONS INC	1841 E NORTH ST	SALINA	KS	67402
BARRON HEATING & AIR CONDITIONING INC	5100 PACIFIC HWY	FERNDALE	WA	98248
BAYLAND BUILDINGS INC	3323 BAY RIDGE COURT	ONEIDA	WI	54155
BAZIN SAWING & DRILLING LLC	30790 SWITZER	LOUISBURG	KS	66053
BD CONSTRUCTION INC.	209 EAST 6TH STREET	KEARNEY	NE	68847
BDR CONSTRUCTION INC	2808 S 31ST AVE STE A	GREELEY	CO	80631
BECERRA CONSTRUCTION	2323 WAGON RD	FT SCOTT	KS	66701
BELCON REGIS GROUP INC	900 S CAMPBELL AVE	CHICAGO	IL	60612
BENNETT TRUCK TRANSPORT LLC	PO BOX 569	MCDONOUGH	GA	30253
BERBERICH TRAHAN & CO PA	3630 SW BURLINGAME ROAD	TOPEKA	KS	66611
BERNIE JANNING TERRAZZO & TILE INC	17509 HWY 71	CARROLL	IA	51401
BEST PLUMBING & HEATING	421 SECTION OD	SCAMMON	KS	66773
BETTIS ASPHALT & CONSTRUCTION INC	2350 NW WATER WORKDS DR	TOPEKA	KS	66606
BIG D LLC	6565 WISTFUL VISTA #11108	WEST DES MOINES	IA	50266
BILLINDA GROUP LLC	4131 OLD SIBLEY HWY 202	EAGAN	MN	55122

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
BIRDAIR INC	65 LAWRENCE BELL DR	AMHERST	NY	14221
BJG ELECTRONICS INC	141 REMINGTON BLVD	RONKONKOMA	NY	11779
BLACK CONSTRUCTION CO	18483 US HIGHWAY 54	ROCKPORT	IL	62370
BLAHNIK CONSTRUCTION CO	150 50TH AVE DR SW	CEDAR RAPIDS	IA	52404
BLD SERVICES LLC	2424 TYLER STREET	KENNER	LA	70062
BLUE SKY CONSTRUCTION LLC	17501 NORTHSIDE BLVD	NAMPA	ID	83687
BOB BERGKAMP CONSTRUCTION CO INC	3709 S WEST STREET	WICHITA	KS	67217
BOB FLORENCE CONTRACTOR INC	1934 S KANSAS AVE	TOPEKA	KS	66612
BOCA CONSTRUCTION INC	380 EASTPARK DRIVE	NORWALK	OH	44857
BODINE ELECTRIC OF DECATUR	1845 NORTH 22ND ST	DECATUR	IL	62526
BOYKIN CONTRACTING INC	167 LOTT CT	WEST COLUMBIA	SC	29169
BOYKIN GLASS AND GLAZING INC	167 LOTT COURT	WEST COLUMBIA	SC	29170
BRADFORD BUILDING COMPANY	2151 OLD ROCKY RIDGE RD	BIRMINGHAM	AL	35216
BRB CONTRACTORS INC	400 W CURTIS	TOPEKA	KS	66608
BRITEWAY STRIPING SERVICES INC	7551 STATE RTE 160 UNIT C	NEW BADEN	IL	62265
BROCK SERVICES LLC	10343 SAM HOUSTON PK 200	HOUSTON	TX	77064
BROCK SERVICES LLC	1670 E CARDINAL DR	BEAUMONT	TX	77704
BROOKS DIRECTIONAL DRILLING LLC	24531 102ND DRIVE	BURDEN	KS	67019
BRUCE CONCRETE CONSTRUCTION INC	4401 HWY 162	GRANITE CITY	IL	62040
BRYAN-OHLMEIER CONST INC	911 NORTH PEARL	PAOLA	KS	66071
BUILDING CRAFTS INC	2 ROSEWOOD DRIVE	WILDER	KY	41076
BUILT WELL CONSTRUCTION CO	MAIN ST HWY 279 S	HIWASSE	AR	72739
BUSH TURF INC	6800 78TH AVE WEST	MILAN	IL	61264
BUXTON COMPANY	2651 S POLARIS DRIVE	FORT WORTH	TX	76137
BYUS CONSTRUCTION INC	16602 S CRAWFORD AVENUE	MARKHAM	IL	60428
C ALEXANDER CONSTRUCTION	744 HORIZON CT STE 135	GRAND JUNCTION	CO	81506
CAB COMM INC	4094 WHITEWATER ROAD	VALDOSTA	GA	31601
CAM OF ILLINOIS LLC	300 DANIEL BOONE TRAIL	SOUTH ROXANA	IL	62087
CAPITAL INSULATION INC	3210 NE MERIDEN RD	TOPEKA	KS	66617
CAPTAIN AND COMPANY LTD	1308 ALBIA ROAD	OTTUMWA	IA	52501
CARPENTERS PLUS INC	1171 W DENNIS	OLATHE	KS	66061
CARSON MCDANIEL CONSTRUCTION LLC	504 E ELM	ARMA	KS	66712
CAS CONSTRUCTORS LLC	501 NE BURGESS	TOPEKA	KS	66608
CASE FOUNDATION CO	1325 W LAKE ST	ROSELLE	IL	60172
CB INDUSTRIES INC	17250 NEW LENOX RD	JOLIET	IL	60430
CBS CONSTRUCTORS	204 E 1ST	MCCOOK	NE	69001
CCC GROUP INC	5797 DIETRICH RD	SAN ANTONIO	TX	78219
CCI SYSTEMS INC	105 KENT ST	IRON MOUNTAIN	MI	49801
CCS HOUSTON II LLC	116 W WASHINGTON ST	WEBSTER	TX	77509
CEI MICHIGAN LLC	2140 INDUSTRIAL ST	HOWELL	MI	48843
CENTRAL SEAL COMPANY	P O BOX 490	DANVILLE	KY	40422
CHASE CONTRACTORS INC	800 W 35TH PARKWAY	CHANUTE	KS	66720

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
CHRIS GEORGE HOMES INC	2111 E SANTA FE #112	OLATHE	KS	66062
CITADEL CONTRACTORS INC	3405 APEX PEAKWAY	APEX	NC	27502
CJ ERWIN CONSTRUCTION COMPANY	12115 NE 99TH ST STE 1800	VANCOUVER	WA	98682
CK CONSTRUCTION	6938 STAGGE ROAD	STURGEON BAY	WI	54235
CLASSIC DESIGN	665 ELMWOOD DRIVE	TROY	MI	48083
CLEAN ENERGY CONSTRUCTION	3020 OLD RANCH PKWY 400	SEAL BEACH	CA	90740
CLEARWATER CONSTRUCTION	584 ROCKY ROAD	LUXEMBURG	WI	54217
CLEAVER FARM SUPPLY INC	2103 S SANTA FE	CHANUTE	KS	66720
CLUNE CONSTRUCTION COMPANY LP	10 S LASALLE ST #300	CHICAGO	IL	60603
CLYDE BERGEMANN POWER GROUP AMERICAS	4015 PRESIDENTIAL PARKWAY	ATLANTA	GA	30340
COASTAL ENVIRONMENTAL GROUP INC	250 EXECUTIVE DR STE K	EDGEWOOD	NY	11717
COASTAL RECONSTRUCTION INC	5570 FLORIDA MINING B 304	JACKSONVILLE	FL	32257
COBB MECHANICAL CONTRACTORS INC	2906 W MORRISON	COLORADO SPRINGS	CO	80904
COCHRAN INC	12500 AURORA AVE N	SEATTLE	WA	98133
COMMERCE CONSTRUCTION INC	695 N 40TH STREET	SPRINGDALE	AR	72762
COMMERCIAL CONTRACTORS INC	16745 COMSTOCK STREET	GRANDHAVEN	MI	49417
COMMERCIAL INTERIORS INC	90 NEWBERRY DR	LINN VALLEY	KS	66040
COMMERCIAL TRADE SOURCE INC	3924 PENDLETON WAY	INDIANAPOLIS	IN	46226
CONCO INC	3030 ALL HALLOWS	WICHITA	KS	67217
CONCORD TANK CORPORATION	51 D CARPENTER COURT NW	CONCORD	NC	28027
CONLON CONSTRUCTION CO	1100 ROCKDALE RD	DUBUQUE	IA	52003
CONSTRUCTION SERVICES BRYANT INC	232 NEW YORK ST	WICHITA	KS	67214
CONTINENTAL POOLS INC	32330 W 213TH ST	SPRING HILL	KS	66083
COOPER RAIL SERVICE INC	1700 N VAN BUREN ST	EVANSVILLE	IN	47542
COOPERS HAWK CONSTRUCTION LLC	430 E PLAINFIELD RD	COUNTRYSIDE	IL	60525
COOPERS STEEL FABRICATORS	PO BOX 149	SHELBYVILLE	TN	37162
CORPORATE CONTRACTORS INC	655 3RD ST STE 300	BELOIT	WI	53511
CRAIGS RESTORATION & REPAIR LLC	1029 VAIL AVENUE	DURANT	IA	52747
CREEK ELECTRIC INC	2811 W PAWNEE ST	WICHITA	KS	67213
CRITERION CORPORATION	137 BISON LANE	CIBOLO	TX	78108
CROOKHAM CONSTRUCTION LLC	19336 182ND STREET	TONGANOXIE	KS	66086
CROSS COUNTY CONSTRUCTION INC	RR 2 VANCIL RD HWY 24	RUSHVILLE	IL	62681
CROWN CORR INC	7100 W 21ST AVE	GARY	IN	46406
CSI PEO INC	2032 ORCHID AVENUE	MCALLEN	TX	78504
CUMMINGS MCCLOREY DAVIS ACHO & ASSOCIATES PC	33900 SCHOOLCRAFT	LIVONIA	MI	48150
CURRENT ELECTRICAL CO INC	3811 SW SOUTH PARK AVE	TOPEKA	KS	66609
D & B INDUSTRIAL FLOOR COATINGS INC	W137 N8589 LANDOVER CRT	MENOMONEE FALLS	WI	53051
D & D INDUSTRIAL CONTRACTING INC	101 MULLEN DR	WALTON	KY	41094
D R ANDERSON CONSTRUCTORS CO	P O BOX 34340	OMAHA	NE	68134
DAMATO BUILDERS + ADVISORS LLC	40 CONNECTICUT AVE	NORWICH	CT	06360
DAN R DALTON INC	912 W CALISPELL ROAD	USK	WA	99180

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
DANNYS CONSTRUCTION CO INCORPORATED	1066 WEST THIRD AVENUE	SHAKOPEE	MN	55379
DAVID BOLAND INC	SE ARNOLD & PERIMETER RD	WHITEMAN AFB	MO	65305
DAVIS CONSTRUCTION	2143 NE HWY 7	COLUMBUS	KS	66725
DB HEALTHCARE INC	128 WHEELER ROAD	BURLINGTON	MA	01803
DCG PETERSON BROTHERS COMPANY	5005 S HWY 71	SIOUX RAPIDS	IA	50585
DEEGIT INC	850 E HIGGINS RD STE 125X	SCHAUMBURG	IL	60173
DEEP SOUTH FIRE TRUCKS INC	2342 HIGHWAY 49 NORTH	SEMINARY	MS	39479
DEJAGER CONSTRUCTION INC	75 60TH ST SW	WYOMING	MI	49508
DEPEW & OWEN BUILDERS INC	511 S OAK STREET	CENTTRALIA	IL	62801
DESCO SYSTEMS OF AR INC	19890 W 156TH	OLATHE	KS	66062
DESIGN DRYWALL INC	6111 Z NW OF KS & INDIANA	FORT LEONARD WOOD	MO	65473
DETROIT CORNICE & SLATE CO INC	1315 ACADEMY	FERNDAL	MI	48220
DF CHASE INC	3001 ARMORY DR	NASHVILLE	TN	37204
DIAMOND CONSTRUCTION COMPANY	2000 N 18TH ST	QUINCY	IL	62301
DIAMOND SURFACE INC	13792 REIMER DR N	MAPLE GROVE	MN	55311
DIG AMERICA UTILITY CONTRACTING INC	606 25TH AVE SO STE 202	ST CLOUD	MN	56301
DIXIE MECHANICAL INC	2645 18TH STREET	TUSCALOOSA	AL	35401
DOME CORPORATION OF NORTH AMERICA	5450 EAST ST	SAGINAW	MI	48601
DONCO ELECTRICAL CONSTRUCTION LLC	1506 US HWY 45 NORTH	ELDORADO	IL	62930
DOSTER CONSTRUCTION CO INC	2100 INTERNATIONAL PARK D	BIRMINGHAM	AL	35243
DPLM	1704 E EUCLID AVE	DES MOINES	IA	50313
DRC EMERGENCY SERVICES LLC	740 MUSEUM DRIVE	MOBILE	AL	36608
DTLS INCORPORATED	P O BOX 1615	BERNALILLO	NM	87004
DTS BROKERAGE & DEVELOPMENT LLC	89 W MAIN SUITE 5	FARMINGTON	AR	72730
DUALTEMP INSTALLATIONS INC DBA DUALTEMP WISCONSIN	3695 J N 126TH STREET	BROOKFIELD	WI	53005
DUERSON INC	601 1ST AVE N	ALTOONA	IA	50009
DUNK FIRE & SECURITY INC	3446 WAGON WHEEL RD	SPRINGDALE	AR	72762
DUREX COVERINGS INC	53 INDUSTRIAL RD	BROWNSTOWN	PA	17508
DURR SYSTEMS INC	40600 PLYMOUTH RD	PLYMOUTH	MI	48170
DUSTROL INC	GEN DEL	EL DORADO	KS	67042
DWG & ASSOCIATES INC	8535 SOUTH 700 WEST	SANDY	UT	84070
DYER ELECTRIC	8171 TOP FLITE CIRCLE	ROGERS	AR	72756
E80 PLUS CONSTRUCTORS LLC	600 BASSETT ST	DEFOREST	WI	53532
ECHO CONSTRUCTION INC	14012 GILES RD	OMAHA	NE	68138
ECONOMY ELECTRICAL CONTRACTORS	101 CENTURY 21 DR #204	JACKSONVILLE	FL	32216
EDWARDS KAMADULSKI LLC	2230 CLEVELAND AVENUE	EAST ST LOUIS	IL	62205
EJM PIPE SERVICE INC	7807 LAKE DR	CIRCLE PINES	MN	55014
ELECTRIC CONSTRUCTION CO	1512 E 17TH ST	SIOUX FALLS	SD	57104
ELECTRICIANS THE	197 S MCCLEARY RD	EXCELSIOR SPRINGS	MO	64024
ELECTRICO INC	7706 WAGNER ROAD	MILLSTADT	IL	62260
ELLIOTT ELECTRICAL INC	P O BOX 1039	BENTON	AR	72015

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EMCO CHEMICAL DISTRIBUTORS INC	2100 COMMONWEALTH AVE	NORTH CHICAGO	IL	60064
EMPLOYEE RESOURCE ADMINISTRATION LP	12400 COIT RD #1030	DALLAS	TX	75251
ENGINEERED STRUCTURES INC	3330 E LOUISE DR STE 300	MERIDIAN	ID	83642
ENGINEERED SYSTEMS COMPANY LLC	11627 ZK32	BONNER SPRINGS	KS	66012
ENGINEERING AMERICA INC	647 HALE AVENUE N	OAKDALE	MN	55128
ENGINEERING SERVICES NETWORK INC	2450 CRYSTAL DR STE 1015	ARLINGTON	VA	22202
ENGLEWOOD CONSTRUCTION INC	9747 W FOSTER AVENUE	SCHILLER PARK	IL	60176
ENTERPRISE ELECTRICAL & MECHANICAL CO	9211 CASTLEGATE DRIVE	INDIANAPOLIS	IN	46256
ENVIRONMENTAL FABRICS INC	85 PASCON CT	GASTON	SC	29053
ENVISION CONTRACTORS LLC	2960 FAIRVIEW DR	OWENSBORO	KY	42303
EPC SERVICES COMPANY	3521 GABEL ROAD	BILLINGS	MT	59102
ERNEST CARROLL CERAMIC TILE INC	538 CHATHAM STREET	JACKSONVILLE	FL	32254
ERV SMITH SERVICES INC	1225 TRAUX BLVD	EAU CLAIRE	WI	54703
ESI CONSTRUCTORS INC	950 WALNUT RIDGE DR	HARTLAND	WI	53029
EUGENIO PAINTING COMPANY	1935 VERNIER ROAD	GROSSE POINTE WOODS	MI	48236
EVANS MASON INC	1021 SOUTH GRAND AVENUE	SPRINGFIELD	IL	62703
EXCEL ENGINEERING INC	5267 PROGRAM AVE # 2	SAINT PAUL	MN	55112
EXPRESS INSTALLATION INC	1886 GENERAL GRG PAT DR	FRANKLIN	TN	37067
F & M CONTRACTORS INC	10915 NEW HALLS FERRY RD	ST LOUIS	MO	63136
F & M SOUTHERN INC	2201 HAMLIN ROAD	UTICA	MI	48317
F L CRANE & SONS INC	508 S SPRING	FULTON	MS	38843
FABCON INCORPORATED	6111 WEST HIGHWAY 13	SAVAGE	MN	55378
FABCON PRECAST LLC	120 S CENTRAL AVE	CLAYTON	MO	63105
FALEWITCH CONSTRUCTION SERVICES INC	8720 S 114TH ST STE 100	LAVISTA	NE	68128
FARABEE MECHANICAL INC	P O BOX 1748	HICKMAN	NE	68372
FARROW COMMERCIAL INC	416 AVIATION BLVD STE B	SANTA ROSA	CA	95403
FAUSS WYGO LLC	111 N 181ST SUITE 202	OMAHA	NE	68022
FEDERAL FIRE PROTECTION INC	805 SECRETARY DR STE A	ARLINGTON	TX	76015
FEDERAL STEEL & ERECTION	200 E ALTON AVE	EAST ALTON	IL	62024
FIBER OPTIC MANAGEMENT LLC	7020 SOUTHBELT DR SE	CALEDONIA	MI	49316
FIRE & LIFE SAFETY AMERICA INC	3017 VERNON ROAD	RICHMOND	VA	23228
FIRELINE SPRINKLER CORPORATION	5036 CLAIREMONT DR	APPLETON	WI	54913
FIRST CHOICE DISPLAYS INC	1400 ENGLISH ROAD	HIGHPOINT	NC	27262
FIRST CONSTRUCTION GROUP INC	3729 WEST AVE	BURLINGTON	IA	52601
FISHEL COMPANY THE	1810 ARLINGATE LN	COLUMBUS	OH	43228
FLAGG CLEANING SYSTEMS INC	2036 W ELEVEN MILE RD	BERKLEY	MI	48072
FLEMINGTON CONSTRUCTION INC	9207 SLATER	OVERLAND PARK	KS	66212
FLOORMAX INCORPORATED	777 N RAINBOW BLVD 250	LAS VEGAS	NV	89107
FLORIDA INSTITUTE OF TECHNOLOGY INC	150 W UNIVERSITY BLVD	MELBOURNE	FL	32901
FMRS INC	405 ST PETERSBURG DR #6	OLDSMAR	FL	34677
FOLTZ WELDING PIPELINE MAINTENANCE	501 E CLINTON AVE	PATOKA	IL	62875
FORT SMITH STRUCTUAL INC	10921 OLD HWY 71	SEBASTIAN	AR	72916

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FRAZEE INC	560 LIONS CLUB DR SW	MABLETON	GA	30126
FRED CHRISTEN & SONS COMPANY THE	714 GEORGE ST	TOLEDO	OH	43608
FREEDOM CONCRETE LLC	9620 LEXINGTON AVE	DESOTO	KS	66018
FRONT RANGE ENVIRONMENTAL LLC	2110 W WRIGHT RD	MCHENRY	IL	60050
FULSOM BROTHERS INC	980 ROAD 5	CEDAR VALE	KS	67024
GAMMA CONSTRUCTION COMPANY	2808 JOANEL	HOUSTON	TX	77027
GANSER COMPANY INC	2616 INDUSTRIAL DRIVE	MADISON	WI	53713
GARCIA CHICOINE ENTERPRISES INC	1118 NORTH 22ND STREET	LINCOLN	NE	68503
GARRISON PLUMBING INC	1200 S PAYNE ST	OLATHE	KS	66061
GASS BRICKWORK INC	6205 COUNTRYSIDE LANE	FREEBURG	IL	62243
GATOR SIGN COMPANY INC	1027 KAREY ANDREWS ROAD	MCCOMB	MS	39648
GAYLOR INC	5750 CASTLE CRK PKY N 400	INDIANAPOLIS	IN	46250
GBA SYSTEMS INTEGRATORS LLC	9801 RENNER BLVD	LENEXA	KS	66219
GEA POWER COOLING INC	143 UNION BLVD STE 400	LAKEWOOD	CO	80228
GEISLER ROOFING CO INC	612 S 3RD ST	BELLEVILLE	IL	62220
GENERATOR & MOTOR SERVICES	601 BRADDOCK AVENUE	TURTLE CREEK	PA	15145
GEORGE ALLEN CONSTRUCTION	9930 W 190TH STE A	MOKENA	IL	60448
GEOTECH SERVICES INC	350 GOLDEN OAK PARKWAY	OAKWOOD VILLAGE	OH	44146
GIBRALTAR CONSTRUCTION CO INC	42 HUDSON ST STE A207	ANNAPOLIS	MD	21401
GLASS DESIGN INC	BOX 568	SAPULPA	OK	74067
GLOBAL EFFICIENCIES INC	2205 W DIVISION ST STE H4	ARLINGTON	TX	76012
GOOLSBY INC	3002 WEST MAIN STRET	BLYTHEVILLE	AR	72315
GORDON ENERGY AND DRAINAGE	15735 S MAHAFFIE	OLATHE	KS	66062
GRAHAM CONSTRUCTION INC	5TH & WALNUT	COLUMBIA	MO	65205
GRAYCLIFF ENTERPRISES INC	3300 BATTLEGROUND #100	GREENSBORO	NC	27410
GRE CONSTRUCTION	628 PALESTINE RD	CHESTER	IL	62233
GREAT LAKES CONCRETE PRODUCTS LLC	4555 134TH AVE	HAMILTON	MI	49419
GREAT PLAINS TILE & STONE INC	10701 EL MONTE ST	OVERLAND PARK	KS	66211
GREER & KIRBY CO INC	14714 INDUSTRY CIRCLE	LA MIRADA	CA	90638
GRIFFIN DEWATERING MIDWEST LLC	5306 CLINTON DRIVE	HOUSTON	TX	77020
GUERDON ENTERPRISES LLC	5556 FEDERAL WAY	BOISE	ID	83716
GUETTERMAN EXCAVATION LLC	22666 ANTIOCH ROAD	BUCYRUS	KS	66013
GUS CONST CO INC	606 ANTIQUE COUNTRY DR	CASEY	IA	50048
GWR CONTRACTING LLC	47 HAYNES STREET	BOSTON	MA	02128
GYPSON FLOORS OF AR/OK INC	PO BOX 1707	MULDROW	OK	74948
H & H SYSTEMS & DESIGN INC	130 EAST MAIN ST	NEW ALBANY	IN	47150
H & L ELECTRIC INC	11130 LEGION DRIVE	SAINT GEORGE	KS	66535
H & M INDUSTRIAL SERVICES INC	121 EDWARDS DR	JACKSON	TN	38302
H AND M CONSTRUCTION CO INC	50 SECURITY DR	JACKSON	TN	38305
HAGGE CONSTRUCTION COMPANY INC	25449 W SCHULTZ	PLAINFIELD	IL	60585
HALL BROTHERS RECYCLING & RECLAMATION INC	124 INDIANA AVE	SALINA	KS	67401
HALL PAVING INC	1196 PONY EXPRESS HWY	MARYSVILLE	KS	66508

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HARDIN CONSTRUCTION CO LLC	3301 WINDY RIDGE PKWY 400	ATLANTA	GA	30339
HAREN & LAUGHLIN RESTORATION COMPANY INC	8035 NIEMAN RD	LENEXA	KS	66214
HARKINS DEVELOPMENT LLC	3402 ILLINOIS ST	FORT LEONARD WOOD	MO	65473
HARPER CO THE	1648 PETERSBURG RD	HEBRON	KY	41048
HARRISON ELECTRICAL CONSTRUCTION INC	30 BRIGHTHOP ROAD	TRENTON	SC	29847
HARVEY NASH INC	1680 ROUTE 23 N STE 300	WAYNE	NJ	07470
HAWKINS CONSTRUCTION COMPANY	2516 DEER PARK BLVD	OMAHA	NE	68105
HAYES CONTRACTING INC	5460 SUGARLOAF RD	COLLINSVILLE	IL	62234
HBI GENERAL CONTRACTORS	1604 N KAUFMAN STREET	ENNIS	TX	75119
HC BECK LTD	1820 MARKET ST FL 3	ST LOUIS	MO	63103
HEAFNER CONTRACTING INC	27457 HEAFNER DRIVE	GODFREY	IL	62035
HEARTH CONSTRUCTION MANAGEMENT LLC	90 EDWARDSVILLE PROF PARK	EDWARDSVILLE	IL	62025
HEARTHVIEW RESIDENTIAL LLC	805 CITY CENTER DRIVE	CARMEL	IN	46032
HEARTLAND RETAIL CONSTRUCTION INC	4956 MEMCO LN STE A	RACINE	WI	53404
HECKERT CONSTRUCTION CO INC	746 E 520TH AVE	PITTSBURG	KS	66762
HG DALLAS CONSULTING LLC	6860 N DALLAS PKWY	PLANO	TX	75024
HICKEY CONTRACTING CO	1318 G ST	KEOKUK	IA	52632
HIGH CONCRETE GROUP LLC	4990 CHILDRENS PL	ST LOUIS	MO	63110
HIGH LINE SERVICES LLC	410 S HIGH STREET	DIGHTON	KS	67839
HINRICHS GROUP INC THE	340 OFFICE COURT STE A	FAIRVIEW HEIGHTS	IL	62208
HOFFMANN INC	6001 49TH ST S	MUSCATINE	IA	52761
HOHL INDUSTRIAL SERVICES INC	770 RIVERVIEW BLVD	TONAWANDA	NY	14150
HOLLIS ROOFING INC	P O BOX 2229	COLUMBUS	MS	39704
HOLSTE COMMERCIAL ROOFING LLC	109 W 2ND	MASSENA	IA	50853
HOME CENTER CONSTRUCTION INC	302 OAK STREET	FRONTENAC	KS	66763
HOMER TREE SERVICE INC	14000 S ARCHER AVE	LOCKPORT	IL	60441
HORIZON GENERAL CONTRACTORS INC	7315 W ELIZABETH LN	FT WORTH	TX	76116
HORIZON RETAIL CONSTRUCTION INC	1458 HORIZON BLVD	RACINE	WI	53406
HORIZONTAL BORING & TUNNELING CO	505 S RIVER AVE	EXETER	NE	68351
HORIZONTAL WELL DRILLERS LLC	2915 STATE HWY 74 SOUTH	PURCELL	OK	73080
HORN MATERIAL HANDLING SYSTEMS INTERNATIONAL INC	9001 S CIMARRON RD	MUSTANG	OK	73064
HORSLEY COMPANY LLC THE	476 SOUTHRIDGE INDUSTRIAL	TAVARES	FL	32778
HPI LLC	15503 WEST HARDY STREET	HOUSTON	TX	77060
HUMAN CAPITAL CONCEPTS LLC	1075 BROAD RIPPLE AVE	INDIANAPOLIS	IN	46220
HUSTON CONTRACTING INC	25640 W 143RD ST	OLATHE	KS	66061
HUTTON CONTRACTING CO INC	HWY 50	LINN	MO	65051
IDEAL COMMERCIAL CONTRACTING LLC	4601 S PINEMONT DR #218	HOUSTON	TX	77041
IMPERIAL ROOF SYSTEMS CO	203 ARMOUR ST	WEST UNION	IA	52175
INDUSTRIAL MAINTENANCE CONTRACTORS INC	2301 GARDEN CITY HWY	MIDLAND	TX	79701
INDUSTRIAL ROOFING & CONSTRUCTION	1128 HWY 2	STERLINGTON	LA	71280
INNOVATION ONE LLC	2600 JOHN SAXON BLVD	NORMAN	OK	73071

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INNOVATIVE COMBUSTION TECHNOLOGIES INC	2367 LAKESIDE DR STE A-1	BIRMINGHAM	AL	35244
INTERNATIONAL DISASTER EMERGENCY SERVICE INC	102 W RAILROAD STREET	KEMPTON	IN	46049
INTERNATIONAL INDUSTRIAL CONTRACTING CORPORATION	35900 MOUND RD	STERLING HEIGHTS	KS	48310
INTERNATIONAL STRAIGHTENING INC	6514 ISLAND DRIVE	BISMARCK	ND	58504
IOWA PLAINS SIGNING INC	1110 W 6TH AVENUE	SLATER	IA	50244
IRS ENVIRONMENTAL OF WA INC	12415 E TRENT	SPOKANE VALLEY	WA	99216
ISEC INC	33 INVERNESS DR E	ENGLEWOOD	CO	08990
ISIS CONSULTANTS LLC	6200 FEGENBUSH LANE	LOUISVILLE	KY	40228
J & D CONSTRUCTION INC	4495 HWY 212	MONTEVIDEO	MN	56241
J & K CONTRACTING OF KANSAS LC	801 WEST 6TH STREET	JUNCTION CITY	KS	66441
J E REEDY INC	4276 N CR 25 E	SEYMOUR	IN	47274
J L MOORE INC	2710 ROYALTON ROAD	COLUMBIA STATION	OH	44028
J PAC CONSTRUCTION LLC	16569 W 263	PAOLA	KS	66071
J2ES INC	706 N BROADWAY	OKLAHOMA CITY	OK	73102
JACKSON DEAN CONSTRUCTION INC	3414 S 116TH ST	SEATTLE	WA	98168
JACOBS LADDER INC	2325 COBDEN SCHOOL ROAD	COBDEN	IL	62920
JAKES ELECTRIC LLC	207 ALLEN STREET	CLINTON	WI	53525
JAMAR COMPANY OF MINNESOTA THE	1100 OLD HIGHWAY 8 NW	NEW BRIGHTON	MN	55112
JAMES N GRAY CONSTRUCTION CO	250 W MAIN ST	LEXINGTON	KY	40507
JAY MCCONNELL CONSTRUCTION INC	8242 MARSHALL DR	LENEXA	KS	66214
JCL&S CONTRACTING INC	116 S HOLBROOK STREET	FORT SCOTT	KS	66101
JD FRANKS INC	1602 S BELTINE ROAD	DALLAS	TX	75253
JEBCO HEATING & AIR CONDITIONING LLC	630 LIPAN ST	DENVER	CO	80204
JELD WEN DOOR REPLACEMENT SYSTEMS INC	401 HARBOR ISLE BLVD	KLAMATH FALLS	OR	97601
JEN MECHANICAL INC	803 HOPP HOLLOW DR	ALTON	IL	62002
JESCO INC	2020 MCCULLOUGH BLVD	TUPELO	MS	38801
JETSTREAM CONSTRUCTION INC	5190 ARVILLE STREET	LAS VEGAS	NV	89118
JF BRENNAN CO INC	820 BAINBRIDGE ST	LA CROSSE	WI	54603
JGM CLEANING LLC	1585 VZ CR 1224	GRAND SALINE	TX	75140
JMJ APPLIANCE INSTALLATION INC	128 HOLIDAY MOBILE HME PK	GRANITE CITY	IL	62040
JOES AUTO SALVAGE	5 N STATE STREET	PANA	IL	62557
JOHN A PAPALAS & CO	1187 EMPIRE	LINCOLN PARK	MI	48146
JOHN E GREEN COMPANY	220 VICTOR AVE	HIGHLAND PARK	MI	48203
JOHNSONS BUILDERS	1455 HODGES FERRY ROAD	DOYLE	TN	38559
JOLLEY CONSTRUCTION COMPANY	2034 HAMILTON PL BLVD 200	CHATTANOOGA	TN	37421
JONES GEOTECHNICAL CONTRACTORS LLC	P O BOX 451	BONNER SPRINGS	KS	66012
JONES HYDROBLAST INC	P O BOX 309	ROYALTON	IL	62983
JOSE MEDRANO CONSTRUCTION	1500 E 200 N	BEAVER	UT	84713
K R SWERDFEGER CONSTRUCTION INC	421 E INDUSTRIAL BLVD	PUEBLO WEST	CO	81007
KADILEX CONSTRUCTION INC	563 N FIRST STREET	WOOD RIVER	IL	62095
KAISER ELECTRICAL CONTRACTORS INC	310A ERIE AVENUE	MORTON	IL	61550

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KANSAS BUSINESS FORMS AND SUPPLIES INC	505 MAIN ST	BELTON	MO	64012
KANSAS FENCING INC	4035 NE SEWARD AVENUE	TOPEKA	KS	66616
KAPUR & ASSOCIATES INC	7711 N PORT WASHINGTON RD	MILWAUKEE	WI	53217
KASPARIE CONSTRUCTION CO	1500 MAAS RD	QUINCY	IL	62305
KBS CONSTRUCTORS INC	1701 SW 41ST	TOPEKA	KS	66609
KENDALL CONSTRUCTION INC	4327 NW 43RD STREET	TOPEKA	KS	66618
KENT ANDERSON CONCRETE LP	830 E VALLEY RIDGE BLVD	LEWISVILLE	TX	75057
KES CONSTRUCTION LLC	11184 ANTIOCH 354	OVERLAND PARK	KS	66210
KILIAN CORPORATION THE	608 S INDEPENDENCE	MASCOUAT	IL	62258
KIMBEL MECHANICAL SYSTEMS INC	9310 E WAGON WHEEL RD	SPRINGDALE	AR	72762
KING OF TEXAS ROOFING COMPANY LP	307 GILBERT CIRCLE	GRAND PRAIRIE	TX	75050
KINLEY CONSTRUCTION COMPANY	201 N UNION ST BNK RM 502	OLEAN	NY	14760
KINLEY CONSTRUCTION GROUP LP	4025 WOODLAND PK BLVD 410	ARLINGTON	TX	76013
KNIGHTS MARINE & INDUSTRIAL SERVICES INC	2900 COLMER DRIVE	MOSS POINT	MS	39562
KOSS CONSTRUCTION CO	4090 WESTOWN PKWY STE B	W DES MOINES	IA	50266
KR&G EXCAVATING PARTNERS LLC	7 STONEHILL ROAD	OSWEGO	IL	60543
KRESCO LLC	7220 N LINDBERGH BLVD 370	HAZELWOOD (T1)	MO	63042
KTU CONSTRUCTORS A JOINT VENTURE	2708 NE INDEPENDENCE AVE	LEE'S SUMMIT	MO	64064
KUHLMAN REFRIGERATION INC	N56W16865 RIDGEWOOD 100	MENOMONEE FALLS	WI	53051
L G ELECTRIC INC	701 E 15TH ST	CHEYENNE	WY	82001
LAForge & BUDD CONST CO INC	DEN GEL	PARSON	KS	67357
LAKEVIEW CONSTRUCTION OF WISCONSIN	10505 CORPORATE DR #200	PLEASANT PRAIRI	WI	53158
LARRY WALTY ROOFING & GUTTERING INC	9733 SW LOIS ROAD	ANDOVER	KS	67002
LEGACY ENGINEERING LLC	18662 MACARTHUR STE 457	IRVINE	CA	92617
LIFETIME CONSTRUCTION SERVICES INC	9864 E GRAND RIVER #110	BRIGHTON	MI	48116
LIMBAUGH CONSTRUCTION CO INC	4186 HWY 162	GRANITE CITY	IL	62040
LONE STAR RAILROAD CONTRACTORS INC	1101 TURTLE CREEK DR	O'FALLON	MO	63366
LONGS DRILLING SERVICE INC	6768 LYNX LANE	HARRISON	AR	72601
LOWER HEATING & AIR CONDITIONING INC	501 SE 17TH STREET	TOPEKA	KS	66607
LUSE THERMAL TECHNOLOGIES LLC	3990 ENTERPRISE COURT	AURORA	IL	60504
LUTZ BRIGGS SCHULTZ & ASSOCIATES INC	239 COUNTRY CLUB DRIVE	ELLWOOD CITY	PA	16117
M & A JONES CONSTRUCTION CO INC	P O BOX 3944	BATESVILLE	AR	72503
M & W CONTRACTORS INC	400 S STEWART ST	E PEORIA	IL	61611
M&J ELECTRIC OF WICHITA LLC	1444 S ST CLAIR BLDG D	WICHITA	KS	67213
MAINSTREET MUFFLER AND BRAKE	1406 N MAIN STREET	HARRISON	AR	72601
MAJOR DRILLING ENVIRONMENTAL LLC	2200 S 4000 W	SALT LAKE CITY	UT	84120
MAJOR REFRIGERATION CO INC	314 NORTHWESTERN AVENUE	NORFOLK	NE	68701
MANAGED SUBCONTRACTORS INTERNATIONAL INC	14961 MULDOON DR	ROGERS	AR	72756
MANHATTAN ROAD & BRIDGE	5601 S 122ND EAST AVENUE	TULSA	OK	74146
MANTA INDUSTRIAL INC	414 N ORLEANS STE 202	CHICAGO	IL	60610
MARCO CONTRACTORS INC	377 NORTHGATE DR	WARRENDALE	PA	15086
MARINO ENGINEERING ASSOCIATES	1101 E COLORADO AVE	URBANA	IL	61801

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
MARKETING ASSOCIATES INC	131 ST JAMES WAY	MOUNT AIRY	NC	27030
MAROLD ELECTRIC INC	1925 SHERWOOD LAKE ESTATE	QUINCY	IL	62305
MARVIN W MIELKE INC	1040 INDUSTRIAL PKWY	MEDINA	OH	44256
MCS OF TAMPA INC	3926 W SOUTH AVENUE	TAMPA	FL	33614
MDS BUILDERS INC	5455 N FEDERAL HWY	BOCA RATON	FL	33487
MECHANICAL CONSTRUCTION SERVICES IN	1711 MELROSE DR	BENTON	AR	72015
MESSERSMITH MANUFACTURING INC	2612 F ROAD	BARK RIVER	MI	49807
METRO OFFICE SYSTEMS INC	12222 MAYCHECK LANE	BOWIE	MD	20715
METROPOLITAN PAVEMENT SPECIALISTS LLC	14012 GILES RD	OMAHA	NE	68138
MEYER CONTRACTING INC	11000 93RD AVENUE N	MAPLE GROVE	MN	55369
MEYERS PLUMBING	4117 MAIN STREET RD	KEOKUK	IA	52632
MICHAEL HARRIS CONSTRUCTION COMPANY	2100 HOWARDS MILL RD	MT STERLING	KY	40353
MICHAEL R SLAUGHTER	1463 HURRICANE HILL RD	DYERSBURG	TN	38024
MID SOUTH INDUSTRIAL INC	13994 HWY 79	BELLS	TN	38006
MID STATES ELECTRIC CO INC	P O BOX 156	S SIOUX CITY	NE	68776
MIDLAND INDUSTRIAL SERVICE LLC	2953 HONEYSUCKLE LANE	ROGERS	AR	72758
MIDSOUTH SPECIALTY CONSTRUCTION LLC	5731 OSBOURNE RD	ST JOE	AR	72675
MIDWEST CUSTOM POOLS LLC	600 LINCOLN	LAWRENCE	KS	66044
MIDWEST EASEMENT SERVICES LLC	2260 LAKE HILLS DRIVE	VANDALIA	IL	62471
MIDWEST MOLE INC	2460 N GRAHAM AVE	INDIANAPOLIS	IN	46218
MIDWEST MOWING INC	2450 OWENS LANE	BRIGHTON	IL	62012
MIDWEST STEEL CONTRACTORS LLC	6900 N DALLAS PKY STE 770	PLANO	TX	75024
MIKE PETERSON CONSTRUCTION	1941 RAMROD AVENUE STE A	HENDERSON	NV	89014
MILESTONE CONSTRUCTION CO LLC	2002 SOUTH 48TH STREET	SPRINGDALE	AR	72762
MILLENNIUM DATA MANAGEMENT INC	210 186TH LN NE	EAST BETHEL	MN	55011
MILLER DRILLING COMPANY INC	107 HELTON DR	LAWRENCEBURG	TN	38464
MILLER INSULATION CO INC	US HWY 65 & MO HWY 127	MALTA BEND	MO	65339
MILLS ELECTRICAL CONTRACTORS	2535 WALNUT HILL LN	DALLAS	TX	75229
MINNESOTA LIMITED INC	1380 W COUNTY RD C	ST PAUL	MN	55113
MINNESOTA LIMITED LLC	18640 200TH STREET	BIG LAKE	MN	55309
MIRON CONSTRUCTION CO INC	5807 MITCHELL AVENUE	ST JOSEPH	MO	64507
MIXER SYSTEMS INC	190 SIMMONS AVENUE	PEWAUKEE	WI	53072
MJ HARRIS INC	2620 N WESTWOOD BLVD	POPLAR BLUFF	MO	63901
MLA GEOTHERMAL DRILLING LLC	205 HACKBERRY DRIVE	GRETN	NE	68028
MOATES BACKHOE SERVICE	5964 SE BEASLEY ROAD	RIVERTON	KS	66770
MOORE ASPHALT INC	1 COMMERCIAL STREET	MILLSTADT	IL	62260
MORRIS BECK CONSTRUCTION SERVICES INC	8100 COLONEL GLENN RD	LITTLE ROCK	AR	72204
MORRIS SHEA BRIDGE CO INC	1820 1ST AVENUE SOUTH	IRONDALE	AL	35210
MORRISON BUILDERS INC	1282 EDINBURGH	SPRINGDALE	AR	72762
MORRISSEY CONTRACTING CO	705 SOUTHMOOR PL	GODFREY	IL	62035
MULANAX ELECTRIC INC	404 W DORCUS ST	ROLAND	OK	74954
MULTIPLE CONCRETE ENTERPRISES	1680 W 1000 N	LAYTON	UT	84041

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MV RESIDENTIAL CONSTRUCTION INC	9349 WATERSTONE BLVD	CINCINNATI	OH	45249
MYLES LORENTZ INC	48822 OLD RIVER BLUFF RD	ST PETER	MN	56082
NATGUN CORP	11 TEAL RD	WAKEFIELD	MA	01880
NATIONAL ROOFING & SHEET METAL CO	G4130 FLINT ASPHALT DRIVE	BURTON	MI	48529
NATIONAL SERVICES INC	1528 SEA BREEZE TRAIL	VIRGINIA BEACH	VA	23452
NCM DEMOLITION & REMEDIATION LP	404 N BERRY STREET	BREA	CA	92821
NEENAN EMPLOYEES HOLDING COMPANY	2620 E PROSPECT RD # 100	FORT COLLINS	CO	80525
NEESE INC	303 DIVISION PO BOX 392	GRAND JUNCTION	IA	50107
NELSON INDUSTRIAL SERVICES INC	6021 MELROSE LN	OKLAHOMA CITY	OK	73127
NEW DIMENSION INC	631 E BIG BEAVER #109	TROY	MI	48083
NEW ERA HOLDINGS INC	300 10TH AVE S	NASHVILLE	TN	37203
NEW TEAM LLC	110 E BROWARD BLVD 2450	FT LAUDERDALE	FL	33301
NEWMECH COMPANIES INC	1633 EUSTIS ST	ST PAUL	MN	55108
NIEWOHNER CONSTRUCTION INC	801 IOWA AVE	ONAWA	IA	51040
NORTH MISSISSIPPI CONVEYOR COMPANY INC	HWY 7S LAFAYETTE CO RD370	OXFORD	MS	38655
NORTHERN ELECTRIC INC	1275 W 124TH AVENUE	WESTMINSTER	CO	80234
NORTHWEST AG SYSTEMS INC	1691 250TH STREET	SALIX	IA	51052
NORWOOD COMMERCIAL CONTRACTORS INC	214 PARK ST	BENSENVILLE	IL	60106
NOVINIUM INC	34110 9TH AVE S STE B	FEDERAL WAY	WA	98003
NU TEC ROOFING CONTRACTORS LLC	5025 EMCO DRIVE	INDIANAPOLIS	IN	46220
NUTRIJECT SYSTEMS INC	515 5TH ST	HUDSON	IA	50643
NWA RESTORE IT INC	13525 W HWY 102	CENTERTON	AR	72719
OLGOONIK SPECIALTY CONTRACTORS LLC	360 W BENSON BLVD STE 302	ANCHORAGE	AK	99503
OMNI ENGINEERING INC	14012 GILES RD	OMAHA	NE	68138
ONE BROTHER CONSTRUCTION, LLC	1667 HIGHWAY 1	WASHINGTON	IA	52353
OPS CONTRACTING SERVICES LLC	5724 SUMMER TREES DRIVE	MEMPHIS	TN	38134
ORASURE TECHNOLOGIES INC	220 EAST FIRST STREET	BETHLEHEM	PA	18015
OUT OF BOUNDS INC	101 AIRPORT ROAD	ALTO	NM	88312
OUTDOOR SYSTEMS INC	660 STATE ROUTE 158	COLUMBIA	IL	62236
PADGETT BUILDING & REMODELING INC	4200 SMELTING WORKS RD	BELLEVILLE	IL	62226
PARK CONSTRUCTION MIDWEST INC	7900 BEECH ST NE	MINNEAPOLIS	MN	55432
PASCHAL HEATING & AIR CONDITIONING CO INC	287 W COUNTY LINE ROAD	SPRINGDALE	AR	72764
PCI ROADS LLC	14123 42ND ST NE	ST MICHAEL	MN	55376
PERFECT PLAY FIELDS AND LINKS INC	1921 HIDDEN LAKES DRIVE	BELLEVILLE	IL	62226
PETTUS PLUMBING & PIPING INC	P O BOX 3237	MUSCLE SHOALS	AL	35662
PHONE MASTERS LLC	523 N OLD ST LOUID ROAD	WOOD RIVER	IL	62095
PINNACLE CONSTRUCTION OF IOWA INC	203 N CHESTNUT ST	GLENWOOD	IA	51534
PINNACLE MECHANICAL	240 OLD HORTON RD	ALBERTVILLE	AL	35950
PIONEER GENERAL CONTRACTORS INC	3850 MADK RD	AMARILLO	TX	79118
PK CONTRACTORS LLC	10816 TOWN CENTER BLVD	DUNKIRK	MD	20754
PLASTINATION COMPANY DBA BODY WORLDS	5050 OAKLAND AVE	ST LOUIS	MO	63101
P-N-G CONTRACTING INC	917 CARLA DR	TROY	IL	62294

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POLIVKA INTERNATIONAL COMPANY INC	3915 E MARKET STREET	WARREN	OH	44484
POLY CARB INC	33095 BAINBRIDGE ROAD	OLON	OH	44139
POTTER ELECTRIC	2801 W 7TH STREET	ELK CITY	OK	73644
PRAIRIE CONTRACTORS INC	9318 GULFSTREAM RD STE C	FRANKFORT	IL	60423
PRAIRIE STREET ALARMS INC	1993 BELFORD NORTH DRIVE	BELVIDERE	IL	61008
PRECAST ERECTORS INC	3500 VALLEY VISTA DR	HURST	TX	76053
PRECISION EXPLORATION INC	2165 JANITELL RD STE 101	COLORADO SPRINGS	CO	80906
PREMIER SERVICES	6274 MICHAEL TALTY AVE	TERRELL	TX	75160
PRO LINE BUILDING COMPANY INC THE	1385 HWY 63	NEW SHARON	IA	50207
PROCESS EQUIPMENT INC	2770 WELBORN STREET	PELHAM	AL	35124
PROFESSIONAL HVAC R SERVICES INC	2861 CENTER RD	AVON	OH	44011
PROJECT BUILDERS INC	2970 CLAIRMONT RD #150	ATLANTA	GA	30329
PSC CONSTRUCTION INC	30266 130TH STREET	WAYNE	OK	73095
PSF MECHANICAL INC	9322 14TH AVE SOUTH	SEATTLE	WA	98108
PURDUM INC	11620 S WALNUT ST	OLATHE	KS	66061
PYRO INDUSTRIAL SERVICES INC	6610 SHEPHERD AVENUE	PORTAGE	IN	46368
QCI THERMAL SYSTEMS INC	405 DRY CREEK AVENUE	WEST BURLINGTON	IA	52655
QUALITY BUILDERS INC	212 E 227TH ST	STEGE	IL	60475
QUALITY ELECTRIC OF DOUGLAS COUNTY INC	1011 E 31ST STREET	LAWRENCE	KS	66046
QUALITY POLE INSPECTION & MAINTENANCE INC	401 MAIN ST	EDNA	TX	77957
QUALITY ROOFING INC	6201 EARHART ROAD	ANN ARBOR	MI	48105
QUICKWIRE COMMUNICATIONS INC	3620 PRESTIGE LANE	MINNETONKA	MN	55305
QUOVADIX INC	7600 E ORCHARD RS 300 S	GREENWOOD VILLAGE	CO	80111
R & M ACOUSTICS INC	10262 HWY 265	FAYETTEVILLE	AR	72701
R&R INVESTORS INC	1225 JORDAN CREEK PKY 200	W DES MOINES	IA	50266
RAGAN MECHANICAL INC	702 W 76TH STREET	DAVENPORT	IA	52806
RAGO CONCRETE LTD	5610 FM 2218	RICHMOND	TX	77469
RAM CONSTRUCTION SERVICES OF MINNESOTA LLC	13800 ECKLES RD	LIVONIA	MI	48150
RAMON J GARCIA CONSTRUCTION	3315 N 115TH STREET	KANSAS CITY	KS	66109
RAMSEY WELDING INC	5360 E 900TH AVENUE	ALTAMONT	IL	62411
RANGER PLANT CONSTRUCTIONAL CO INC	5851 E INTERSTATE 20	ABILENE	TX	79601
RAYCON INC	17625 BENNINGTON RD	BENNINGTON	NE	68007
RB CONSTRUCTION COMPANY	6489 METROPOLITAN PARKWAY	STERLING HEIGHTS	MI	48312
RCS CONSTRUCTION INC	197 OLD ST LOUIS RD	WOOD RIVER	IL	62095
REDMOND CONSTRUCTION COMPANY INC	W228 N745 WESTMOUND DR	WAUKESHA	WI	53186
REDNOUR STEEL ERECTORS INC	HWY 150	CUTLER	IL	62238
REGENCY CONSTRUCTORS LLC	4744 JAMESTOWN AV STE 103	BATON ROUGE	LA	70808
RELIA TECH INC	2280 SIBLEY COURT	EAGAN	MN	55122
REMCON GENERAL CONTRACTING INC	10311 RT E	JEFFERSON CITY	MO	65101
RENIER CONSTRUCTION CORPORATION	2164 CITY GATE DRIVE	COLUMBUS	OH	43219
RESTAURANT SPECIALTIES INC	999 POLARIS PKWY STE 111	COLUMBUS	OH	43240
RETAIL CONSTRUCTION SERVICES INC	11343 39TH ST N	ST PAUL	MN	55042

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RETAIL STOREFRONT GROUP INC	419 MIAMI AVE	LEEDS	AL	35094
RFB CONSTRUCTION CO INC	565 E 520TH AVE	PITTSBURGH	KS	66762
RFW CONSTRUCTION GROUP LLC	1315 N CHOUTEAU TRAFFICWA	KANSAS CITY	MO	64120
RHYTHM ENGINEERING LLC	12351 W 96TH TER STE 107	LENEXA	KS	66214
RIEDY CONSTRUCTION INC	10125 S MANDEL STREET	PLAINFIELD	IL	60585
RL MURPHEY COMMERCIAL ROOF MANAGEMENT LLC	5699 N DARDEMAN ROAD	JUSTIN	TX	76247
ROBINETTE DEMOLITION INC	0 S 560 ROUTE 83	OAKBROOK	IL	60181
ROBINS & MORTON GROUP THE	400 SHADES CREEK PKWY	BIRMINGHAM	AL	35209
ROCK INDUSTRIES INC	340 ROCKWELL AVENUE	PONTIAC	MI	48341
ROCK ISLAND ENVIRONMENTAL SERVICES INC	2950 STATE HWY 70 EAST	EAGLE RIVER	WI	54521
ROCK REMOVAL RESOURCES LLC	423 E BRONSON ROAD	SEYMOUR	WI	54165
ROCKY MOUNTAIN AMUSEMENTS INC	11470 CARISSA COURT	HAYDEN	ID	83835
ROD TECHS INC	5991 MIEJER DRIVE STE 22	MILFORD	OH	45150
ROEHL REFRIGERATED TRANSPORT LLC	1916 E 29TH STREET	MARSHFIELD	WI	54449
ROMANOFF ELECTRIC RESIDENTIAL LLC	1255 RESEARCH ROAD	GAHANNA	OH	43230
RON WEERS CONSTRUCTION INC	20765 S FOSTER COURT	BUCYRUS	KS	66013
ROOFING & RESTORATION SERVICES OF AMERICA LLC	105 WEST FRANKLIN	WAXAHACHIE	TX	75165
ROSS & ASSOCIATES OF RIVER FALLS WISCONSIN LTD	246 SUMMIT	RIVER FALLS	WI	54022
ROY ANDERSON CORP	11400 REICHHOLD ROAD	GULFPORT	MS	39503
ROYAL ROOFING COMPANY INC	2445 BROWN ROAD	ORION	MI	48359
ROYALTY COMPANIES OF INDIANA INC	1000 D AVENUE	SEYMOUR	IN	47274
RS MORGAN INC	207 SIGMA DRIVE	PITTSBURGH	PA	15238
RTL CONSTRUCTION MN INC	4000 VALLEY IND BLVD S	SHAKOPEE	MN	55379
RUEDEBUSCH DEVELOPMENT & CONSTRUCTION INC	4605 DOVETAIL DRIVE	MADISON	WI	53704
RUSSELL CONSTRUCTION COMPANY	1414 MISSISSIPPI BLVD	BETTENDORF	IA	52722
RYAN COMPANIES US INC	50 S TENTH ST SUT 300	MINNEAPOLIS	MN	55403
S & B CONSTRUCTION CO LLC	117 E WASHINGTON ST	INDIANAPOLIS	IN	46204
S & S MECHANICAL CONTRACTORS LLC	8411 NIEMAN	LENEXA	KS	66214
S T COTTER TURBINE SERVICES INC	2167 196TH STREET EAST	CLEARWATER	MN	55320
S2 ANALYTICAL SOLUTIONS LLC	6413 MELSTONE COURT	CLIFTON	VA	20124
SA SMITH ELECTRIC INC	525 JERSEY ST	QUINCY	IL	62301
SAFE ENVIRONMENTAL CORPORATION	10030 EXPRESS DR STE A&B	HIGHLAND	IN	46322
SARATOGA ROOFING & CONSTRUCTION	209 NW 132ND ST	OKLAHOMA CITY	OK	73114
SASCO	1227 N MARKET BLVD	SACRAMENTO	CA	95834
SATELLITE SERVICES INC	120 SUPERIOR RD	ST ROBERT	MO	65583
SCHAEFER CONTRACTING INC	19370 SAND RIDGE ROAD	CARLYLE	IL	62231
SCHECK TECHNICAL SERVICES	500 E PLAINFIELD RD	COUNTRYSIDE	IL	60525
SCHLEIS FLOOR COVERING INC	2744 MANITAWOC ROAD	GREEM BAY	WI	54311
SCHMIDT CONSTRUCTION	2549 BURMEISTER ROAD	STURGEON BAY	WI	54235
SCHREIBER CORPORATION	PO BOX 38119	DETROIT	MI	48238
SCHUMACHER ELEVATOR COMPANY	ONE SCHUMAKER WAY	DENVER	IA	50622

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SCHUPPS LINE CONSTRUCTION INC	10 PETRA LANE	ALBANY	NY	12205
SCHWEITZER ENGINEERING LABORATORIES INC	2350 NE HOPKINS CT	PULLMAN	WA	99163
SCHWOB BUILDING COMPANY LTD	2349 GLENDA LANE	DALLAS	TX	75229
SCOTT BURK CONSTRUCTION INC	4003 SAVANNAH	ROGERS	AR	72756
SEEDORFF MASONRY INC	W MISSION ST	STRAWBERRY PT	IA	52076
SEK HEAT & AIR INC	422 W ATKINSON	PITTSBURG	KS	66762
SEMINOLE EQUIPMENT INC	204 TARPON INDUSTRIAL DR	TARPON SPGS	FL	34688
SG CONSTRUCTION SERVICES LLC	801 S SAGINAW	FLINT	MI	48502
SHAFFER ENTERPRISES D & T LLC	301 LEONA LANE	URSA	IL	62376
SHAWNEE MISSION TREE SERVICE INC	8250 COLE PKWY	SHAWNEE MSN	KS	66227
SHIELDS TELECOMM INC	7 CIRCLE DR	MOUNT VERNON	IL	62864
SHILLING CONSTRUCTION CO INC	555 POYNTZ AVE STE 260	MANHATTAN	KS	66502
SHIRLEY CONSTRUCTION INC	2139 SW WESTPORT DRIVE	TOPEKA	KS	66614
SHORTRIDGE CONSTRUCTION CO INC	3908 N 24TH ST	QUINCY	IL	62301
SIERRA BRAVO CONTRACTORS LLC	7038 HWY 154	SESSER	IL	62884
SIERRA DETENTION SYSTEMS INC	15850 W 6TH AVE	GOLDEN	CO	80401
SIMBECK & ASSOCIATES INC	38256 HWY 160	MANCOS	CO	81328
SIMMONS BROWDER GIANARIS ANGELIDES & BARNERD LLC	1 COURT STREET	EAST ALTON	IL	62022
SIS MANPOWER INC	2941 S GETTYSBURG AVE	DAYTON	OH	45418
SJ LOUIS CONSTRUCTION INC	1351 BROADWAY W BOX 459	ROCKVILLE	MN	56369
SKY CLIMBER WIND SOLUTIONS LLC	1800 PITTSBURGH DRIVE	DELAWARE	OH	43015
SKYLIGHT FINANCIAL INC	1455 LINCOLN PKWY STE 600	ATLANTA	GA	30346
SKYTOP TOWERS INC	13503 W US HWY 34	MALCOLM	NE	68402
SMARTLINK LLC	1449 WHITEHALL ROAD	ANNAPOLIS	MD	21409
SMITHSON INC	1661 S WESLEYAN BLVD	ROCKY MOUNT	NC	27803
SMQRF LLC	104 UNION VALLEY ROAD	OAK RIDGE	TN	37830
SNI COMPANIES	4600 WESTOWN PKWY RW6 113	WEST DES MOINES	IA	50266
SNYDER ENVIRONMENTAL & CONSTRUCTION INC	124 W CAPITOL AVE STE1820	LITTLE ROCK	AR	72201
SOLAR ERECTORS US INC	10501 NW 121ST WAY	MEDLEY	FL	33178
SOLARIS ROOFING SOLUTIONS INC	4800 JACOBS OLD COAL RD	SHREWSBURY	MO	63119
SOUTHEAST DIRECTIONAL DRILLING LLC	3117 N CESSDA AVE	CASA GRANDE	AZ	85222
SOUTHERN CONCRETE PRODUCTS INC	266 E CHRUCH STREET	LEXINGTON TN	TN	38351
SOUTHERN TOWER TELECOM LLC	1381A STONEFIELD COURT	ALPHARETTA	GA	30004
SOUTHFORK CONSTRUCTION INC	144 GREENLAWN DRIVE	SAN ANTONIO	TX	78201
SOUTHWINDS INSPECTION CORP	RT 2 BOX 88A	KINGFISHER	OK	73750
SPECTRA TECH LLC	16100 ALLISONVILLE RD	NOBLESVILLE	IN	46060
SPIFF CONTRACTING LLC	3483 HEATHERMOOR BLVD	COVINGTON	KY	41015
SPORTS METALS INC	P O BOX 1338	PHENIX CITY	AL	36868
SPRAYWORKS EQUIPMENT GROUP LLC	11407 IMMEL AVE NE	HARTVILLE	OH	44632
STALEY CONSTRUCTION LLC	3400 J E DAVIS DRIVE	LITTLE ROCK	AR	72209
STEPHENS & SMITH CONSTRUCTION CO INC	1542 S 1ST ST	LINCOLN	NE	68502

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STEVE HOEGGER & ASSOCIATES INC	2630 N HIGHWAY 78	WYLIE	TX	75098
STILL CONSTRUCTION CO INC	PO BOX 70	LEAD HILL	AR	72644
STILL CONTRACTORS LLC	15740 S MAHAFFIE ST	OLATHE	KS	66062
STONE CREEK CUSTOM HOMES INC	9501 E 108TH ST S	TULSA	OK	74133
STORK TWIN CITY TESTING CORPORATION	662 CROMWELL AVENUE	ST PAUL	MN	55114
STREICHER EXCAVATING INC	1718 EAST BREMER AVE	WAVERLY	IA	50677
STRINGER CONSTRUCTION COMPANY INC	6141 LUCILE AVE	SHAWNEE	KS	66203
STRUKEL ELECTRIC INC	375 W WALNUT ST	GIRARD	KS	66743
STUEVE CONSTRUCTION COMPANY	2201 E OAK ST	ALGONA	IA	50511
SUNCON INC	#2 TERMINAL DR STE 17A	EAST ALTON	IL	62002
SUNLAND CONSTRUCTION INC	HWY 13 SOUTH	EUNICE	LA	70535
SUPER SKY PRODUCTS ENTERPRISES LLC	10301 N ENTERPRISE DRIVE	MEQUON	WI	53092
SUPERIOR OPERATING SYSTEMS INC	1721 S 42ND STREET	ROGERS	AR	72758
SUPERIOR ROOFING INC	14700 E 39TH AVE	AURORA	CO	80011
SUPPLIER INSPECTION SERVICES INC	2941 S GETTYSBURG AVE	DAYTON	OH	45418
SURF PREP INC	19305 HAYDEN COURT	BOOKFIELD	WI	53045
SW HUFFMAN CONSTRUCTION INC	PO BOX 99	OTTUMWA	IA	52501
SWANSTON EQUIPMENT COMPANY	3404 MAIN AVE	FARGO	ND	58103
SYNERGY REFRIGERATION INC	1680 ROBERTS BLVD	KENNESAW	GA	30144
T V JOHN & SON INC	5201 N 124TH STREET	BUTLER	WI	53007
T WINN CONSTRUCTION COMPANY	15018A CIRCLE	OMAHA	NE	68144
TAIL WIND TECHNOLOGIES CORPORATION	13911 RIDGEDALE DR #310	MINNETONKA	MN	55305
TALON VETERAN SERVICES INCORPORATED	9600 CAVALIN COURT	MECHANICSVILLE	VA	23116
TANCO ENGINEERING INCORPORATED	1400 TAURUS COURT	LOVELAND	CO	80537
TANK BUILDERS INC	13400 TRINITY BLVD	EULESS	TX	76039
TATE ORNAMENTAL INC	114 INDUSTRIAL DRIVE	WHITE HOUSE	TN	37188
TECH TREND INC	5797 VALLEY VIEW DRIVE	ALEXANDRIA	VA	22310
TEKRAN INSTRUMENTS CORPORATION	330 NANTUCKET BLVD TORONT	ONT CAN M1P2P4	ON	99999
TELETECHSERV GA LLC	1381 STONEFIELD COURT	ALPHARETTA	GA	30004
TELUM PROTECTION CORPORATION	760 NW BROAD STREET	SOUTHERN PINES	NC	28387
TENCON INC	530 JONES ST	VERONA	PA	15147
TENNESSEE ELECTRIC COMPANY INC	1700 N JOHN B DENNIS HWY	KINGSPORT	TN	37664
TENOCH CONSTRUCTION INC	6216 MISSION RD	FAIRWAY	KS	66205
TESTEX INC	535 OLD FRANKSTOWN ROAD	PITTSBURGH	PA	15239
TETRA TECH CONSTRUCTION INC	2736 ST HWY 30	MAYFIELD	NY	12117
TEXOMA INDUSTRIAL INSULATION ASSOCIATION	1202 N HWY 91	DENISON	TX	75021
TEXTBOOK PAINTING	13000 ATHENS AVE	LAKEWOOD	OH	44107
THOMAS MILLER & PARTNERS PLLC	5210 MARYLAND WAY STE 200	BRENTWOOD	TN	37027
TIC THE INDUSTRIAL COMPANY	188 INVERNESS DR W #700	ENGLEWOOD	CO	80012
TITAN BUILT LLC	11865 S CONLEY	OLATHE	KS	66061
TITAN CONTRACTING & LEASING CO INC	2205 RAGU DRIVE	OWENSBORO	KY	42302
TJC ENGINEERING INC	5001 CROWN MANOR PLACE	LOUISVILLE	KY	40218

<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
TOMS TUCKPOINTING LLC	410 W ELM	CORNING	AR	72422
TOURNEAR ROOFING CO	2605 SPRING LAKE RD	QUINCY	IL	62305
TOWN AND COUNTRY PLUMBING INC	1201 N 2ND STREET	ROGERS	AR	72756
TRAC WORK INC	303 W KNOX	ENNIS	TX	75119
TRACY ELECTRIC INC	8025 S BROADWAY STREET	HAYSVILLE	KS	67060
TRADEMARK RESTORATION INCORPORATED	6260 E RIVERSIDE BLVD 163	LOVES PARK	IL	61111
TRAFFIC CONTROL SERVICES LLC	1411 STONERIDGE DRIVE	MIDDLETOWN	PA	17057
TRANSMODE SYSTEMS INC	1302 E COLLINS BLVD	RICHARDSON	TX	75081
TRC DISASTER SOLUTIONS COMPANY	712 S WHEELING AVE	TULSA	OK	74104
TRI SOUTH CONTRACTORS INC	2190 CHURCH RD	ARNOLD	MO	63010
TRI STAR CONTRACTORS LLC	1910 WAUKESHA ROAD	SILOAM SPRINGS	AR	72761
TRIAGE CONSULTING GROUP	221 MAIN STREET STE 1100	SAN FRANCISCO	CA	94105
TRIPLE T EXCAVATING INC	11401 LOWER MARINE RD	HIGHLAND	IL	62249
TRS RANGE SERVICES LLC	1739 MAYBANK HWY STE 8326	CHARLESTON	SC	29412
TRUCK CRANE SERVICE COMPANY	2875 HIGHWAY 55	EAGAN	MN	55121
TUFF WRAP INSTALLATIONS INC	2080 DETWILER ROAD STE 2	HARLEYSVILLE	PA	19438
TWEET GAROT MECHANICAL INC	2545 LARSEN RD	GREEN BAY	WI	54303
U S BUILDERS LP	8811 GAYLORD	HOUSTON	TX	77024
UCI INC	659 N MAIN	WICHITA	KS	67214
ULTIMATE THERMAL INC	P O BOX 34818	OMAHA	NE	68134
UNDERGROUND UTILITIES CONTRACTORS INC	403 COMMERCE PARK DR	CABOT	AR	72023
UNIFIED BUILDING SYSTEMS INC	738 WATER ST	SAUK CITY	WI	53583
UNITED PIPING INC	4510 AIRPORT ROAD	DULUTH	MN	55811
UNIVERSAL SERVICES TELECOMMUNICATIONS TECHS INC	12151 120TH STREET SOUTH	HASTINGS	MN	55033
URBAN METROPOLITAN DEVELOPMENT LLC	1101 JUNIPER ST STE 925	ATLANTA	GA	30309
US ASPHALT CO	14012 GILES RD	OMAHA	NE	68138
US BUILDERS GROUP INC	6465 FRENCH ROAD	DETROIT	MI	48213
UTILITY SERVICES INC	1080 WATERBURY STOWE RD	WATERBURY	VT	05676
UTILITY SOLUTIONS LLC	17835 185TH STREET	TONGANOXIE	KS	66086
VALIANT INTERNATIONAL INC	1511 EAST 14 MILE RD	TROY	MI	48083
VAN ERT ELECTRIC COMPANY INC	7019 WEST STEWART AVENUE	WAUSAU	WI	54401
VECTOR CONSTRUCTION INC	3814 3RD AVE NW	FARGO	ND	58102
VFP FIRE SYSTEMS INC	301 YORK AVE	ST PAUL	MN	55130
VHP ENTERPRISES INC	728 WESLEY AVE	TARPON SPRINGS	FL	34689
VIACON INC	70 BANKS RD	STOCKBRIDGE	GA	30281
VISIONSOFT INTERNATIONAL INC	1842 OLD NORCROSS RD 100	LAWRENCEVILLE	GA	30044
VISSER BROTHERS INC	1946 TURNER NW	GRAND RAPIDS	MI	49504
VISU SEWER CLEAN & SEAL INC	W230 N4855 BETKER RD	PEWAUKEE	WI	53072
WADES REFRIGERATION INC	P O BOX 2164	BATESVILLE	AR	72503
WALKER CONSTRUCTION CO INC	HWY 50 TO KAHOLA LAKE RD	EMPORIA	KS	66801
WALTERS CARPENTRY INC	2340 SHEPLER CHRCH AVE SW	CANTON	OH	44706


<u>Contractor</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
WALTERS MORGAN CONSTRUCTION INC	2616 TUTTLE CREEK BLVD	MANHATTAN	KS	66502
WATSON ELECTRIC INC	318 N 8TH ST	SALINA	KS	67401
WEATHERCRAFT COMPANY OF GRAND ISLAND	PO BOX 80459	LINCOLN	NE	68501
WEATHERCRAFT COMPANY OF LINCOLN	545 J ST	LINCOLN	NE	68508
WELDMATION INC	31720 STEPHENSON HIGHWAY	MADISON HEIGHTS	MI	48071
WEST CONSTRUCTION MANAGEMENT INC	5825 OAK AVE	INDIANAPOLIS	IN	46219
WESTERN WATER CONSTRUCTORS INC	707 AVIATION BLVD	SANTA ROSA	CA	95403
WESTIN CONSTRUCTION COMPANY	10828 NESBITT AVE SO	BLOOMINGTON	MN	55437
WH BASS INC	5664 D PEACHTREE PKWY	NORCROSS	GA	30092
WHERTEC INC	1543 KINGSLEY AVE BLDG 6	ORANGE PARK	FL	32073
WHITE OAK CONSTRUCTION INC MILLWRIGHT DIVISION	105 INDUSTRIAL DRIVE	BALD KNOB	AR	72010
WHITE STAR CONSTRUCTION INC	6175 MIZE ROAD	SHAWNEE	KS	66226
WHITEHEAD FARMS CONSTRUCTION INC	2468 300TH AVE	SIDNEY	IA	51652
WHITING TURNER CONTRACTING CO THE	300 E JOPPA RD	BALTIMORE	MD	21286
WIDEWATERS CONSTRUCTION INC	5786 WIDEWATERS PARKWAY	DEWITT	NY	13214
WIGDAHL ELECTRIC COMPANY	625 PRATT BLVD	ELK GROVE VILLAGE	IL	60007
WILLIAM A RANDOLPH INC	820 LAKESIDE DR STE 3	GURNEE	IL	60031
WINFIELD CONTRACTORS INC	212 NORTH PRAIRIE STREET	WAPELLO	IA	52653
WINGATE ARCHITECTURAL MILLWORKS CO	7516 US 59 NORTH	NACOGDOCHES	TX	75964
WOODS CONSTRUCTION INC	4895 CEDARMERE DR	COLORADO SPRINGS	CO	80918
WR NEWMAN & ASSOCIATES INC	2854 LOGAN ST	NASHVILLE	TN	37211
WS BOWLWARE CONSTRUCTION INC	3140 W BRITTON RD STE 204	OKLAHOMA CITY	OK	73120
WYOMING EFFICIENCY CONTRACTORS INC	530 E COSTILLA STREET	COLORADO SPRINGS	CO	80903
XENA HOMES INC	3901 100TH ST SW #6	LAKEWOOD	WA	98499
YOKOGAWA CORPORATION OF AMERICA	2 DART RD	NEWMAN	GA	30265
YOUNG CONTRACTING SE INC	8215 ROSWELL RD BLDG 400	ATLANTA	GA	30350
YOUNGLOVE CONSTRUCTION LLC	2015 EAST 7TH STREET	SIOUX CITY	IA	51101
ZAPATA ENGINEERING PA	6302 FAIRVIEW RD STE 600	CHARLOTTE	NC	28210
ZERNCO INC	14033 SW TAWAKONI RD	AUGUSTA	KS	67010
ZIMMERMAN CONSTRUCTION COMPANY INC	12509 HEMLOCK ST	OVERLAND PARK	KS	66213
ZOLFO COOPER	101 EISENHOWER PKY 3RD FL	ROSELAND	NJ	07068

ADDITION TO STATUTORY LIST OF CONTRACTORS BARRED FROM PUBLIC WORKS PROJECTS

The following is an addition to the list of contractor(s) who have been prosecuted and convicted of violating the Missouri Prevailing Wage Law, and whose Notice of Conviction has been filed with the Secretary of State pursuant to Section 290.330, RSMo. Under this statute, no public body is permitted to award a contract, directly or indirectly, for public works (1) to David E. Mollohan, (2) to any other contractor or subcontractor that is owned, operated or controlled by Mr. David E Mollohan including M & D Excavating or (3) to any other simulation of Mr. David E Mollohan or of M & D Excavating for a period of one year, or until January 10, 2014.

<u>Name of Contractor</u>	<u>Name of Officers</u>	<u>Address</u>	<u>Date of Conviction</u>	<u>Debarment Period</u>
David E. Mollohan d/b/a M & D Excavating Case No. 11WR-CR00453 Wright County Cir. Ct.		1448 Kaylor Road Mountain Grove, MO 65711	1/10/2013	1/10/2013-1/10/2014

Dated this 28th day of January, 2013.


Robert A. Bedell, Acting Division Director

The Secretary of State is required by sections 347.141 and 359.481, RSMo 2000, to publish dissolutions of limited liability companies and limited partnerships. The content requirements for the one-time publishing of these notices are prescribed by statute. This listing is published pursuant to these statutes. We request that documents submitted for publication in this section be submitted in camera ready 8 1/2" x 11" manuscript by email to dissolutions@sos.mo.gov.

NOTICE TO UNKNOWN CREDITORS OF LT HOLDINGS, LLC

LT Holdings, LLC (the "Company") has been dissolved pursuant to Section 347.137 of the Missouri Limited Liability Company Act by filing its Articles of Termination with the Missouri Secretary of State on December 21, 2012. Pursuant to Section 347.141 of the Missouri Limited Liability Company Act, any claims against the Company must be sent to:

LT Holdings, LLC
c/o Joshua Landy
9836 Flora Circle
Kansas City, MO 64131

Claims submitted must include the following information: (1) claimant name, address, and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the creditor; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

NOTICE: CLAIMS OF CREDITORS OF THE LLC WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO (2) YEARS OF THE DATE OF THIS NOTICE.

NOTICE OF DISSOLUTION OF CORPORATION

TO ALL CREDITORS OF AND CLAIMANTS AGAINST ROY F. HOUGH, INC.

On December 27, 2012, Roy F. Hough, Inc. a Missouri corporation (hereinafter the "Corporation") filed its Articles of Dissolution with the Missouri Secretary of State, effective upon filing.

Any claims against the Corporation must be sent to Janet Ann Hough, 310 Kramer Drive, Sikeston, MO 63801. Each claim must include the following information: the name, address and phone number of the claimant; the amount claimed; the date on which the claim arose; the basis for the claim; and any documentation for the claim.

All claims against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two (2) years after the publication of this Notice.

**NOTICE OF WINDING UP OF
LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND
ALL CLAIMANTS AGAINST
ST. JAMES PLACE, LLC**

On January 2, 2013, St. James Place, LLC, a Missouri limited liability company (the "Company"), filed its Notice of Winding Up with the Missouri Secretary of State. Persons and entities with a claim against the Company should mail it to Larry A. Reed, P.O. Box 1152, St. Louis, Missouri 63031. Each claim must include your name, address and telephone number; the amount of the claim; the date on which the claim arose; the basis for the claim; and documentation of the claim. A claim against the Company will be barred unless a proceeding to enforce the claim is commenced within three years after the publication of this notice.

**NOTICE OF CORPORATE DISSOLUTION TO ALL CREDITORS AND CLAIMANTS
AGAINST
CVT AUTOMOTIVE, INC.**

CVT Automotive, Inc. was dissolved as of the 14th day of December, 2012. Any and all claims against CVT Automotive, Inc. may be sent to Robert J. Holcomb, 8500 Shawnee Mission Parkway, Suite 200, Merriam, Kansas 66202. Each such claim should include the following: the name, address and telephone number of the claimant; amount of the claim; the basis of the claim; the date(s) on which the event(s) on which the claim was based occurred; and whether the corporation has been previously notified of the claim, and if so, when. Any and all claims against CVT Automotive, Inc. will be barred unless a proceeding to enforce the claim is commenced within two years after the date of this publication.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA TABARIN RETURN, LLC**

On January 8, 2013, SCB Florida Tabarin Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB SASH PALM COAST RETURN, LLC**

On January 8, 2013, SCB Sash Palm Coast Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA EQUESTRIAN RETURN, LLC**

On January 8, 2013, SCB Florida Equestrian Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA MCBRIDE RETURN, LLC**

On January 8, 2013, SCB Florida McBride Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA SOUTH TRAIL RETURN, LLC**

On January 8, 2013, SCB Florida South Trail Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB SASH MULBERRY RETURN, LLC**

On January 8, 2013, SCB Sash Mulberry Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA TWO FRIENDS RETURN, LLC**

On January 8, 2013, SCB Florida Two Friends Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
FLORIDA KHC RETURN, LLC**

On January 8, 2013, Florida KHC Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA CHENEY RETURN, LLC**

On January 8, 2013, SCB Florida Cheney Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE OF DISSOLUTION OF LIMITED LIABILITY COMPANY
TO ALL CREDITORS OF AND CLAIMANTS AGAINST
SCB FLORIDA NAYLOR/O'MAHONY RETURN, LLC**

On January 8, 2013, SCB Florida Naylor/O'Mahony Return, LLC, a Missouri limited liability company (hereinafter the "Company"), filed its Notice of Winding Up for a Limited Liability Company with the Missouri Secretary of State.

Any claims against the Company may be sent to: Douglas M. Neeb, 1111 Main Street, Suite 1600, Kansas City, Missouri, 64105. Each claim must include the following information: name, address and phone number of the claimant; amount claimed; date on which the claim arose; basis for the claim; and documentation in support of the claim

All claims against the Company will be barred unless the proceeding to enforce the claim is commenced within three (3) years after the publication of this notice.

**NOTICE TO UNKNOWN CREDITORS OF
GKB FINANCIAL SERVICES CORPORATION**

GKB Financial Services Corporation (the "Company") has been dissolved pursuant to Section 351.418 of The General and Business Corporation Law of Missouri by filing its Articles of Dissolution with the Missouri Secretary of State on January 2, 2013. Pursuant to Section 351.482 of The Missouri General and Business Corporation Law of Missouri, any claims against the Company must be sent to:

GKB Financial Services Corporation
c/o Andrew F. Sears
4801 Main Street, Suite 500
Kansas City, MO 64112

Claims submitted must include the following information: (1) claimant name, address, and phone number; (2) name of debtor; (3) account or other number by which the debtor may identify the creditor; (4) a brief description of the nature of the debt or the basis of the claim; (5) the amount of the claim; (6) the date the claim was incurred; and (7) supporting documentation for the claim, if any.

NOTICE: CLAIMS OF CREDITORS OF THE CORPORATION WILL BE BARRED UNLESS A PROCEEDING TO ENFORCE THE CLAIM IS COMMENCED WITHIN TWO (2) YEARS OF THE DATE OF THIS NOTICE.

**NOTICE OF DISSOLUTION
TO ALL CREDITORS OF
AND CLAIMANTS AGAINST
CHECKSITE MEDICAL, INC.**

On January 10, 2013, CHECKSITE MEDICAL, INC., a Missouri corporation ("Corporation"), filed its Articles of Dissolution with the Missouri Secretary of State. The dissolution was effective on January 10, 2013.

All claims must include: the name, address and telephone number of the claimant; the amount claimed; the basis of the claim; the date(s) on which the events occurred which provided the basis for the claim; and copies of any other supporting data. Claims should be in writing and mailed to the Corporation in care of R. LYNN BECKEMEIER, Attorney-at-Law, 13421 Manchester Road, Suite 103, St. Louis, MO 63131.

Any claim against the Corporation will be barred unless a proceeding to enforce the claim is commenced within two years after the publication of this notice.

Rule Changes Since Update to Code of State Regulations

This cumulative table gives you the latest status of rules. It contains citations of rulemakings adopted or proposed after deadline for the monthly Update Service to the *Code of State Regulations*, citations are to volume and page number in the *Missouri Register*, except for material in this issue. The first number in the table cite refers to the volume number or the publication year—37 (2012) and 38 (2013). MoReg refers to *Missouri Register* and the numbers refer to a specific *Register* page, R indicates a rescission, W indicates a withdrawal, S indicates a statement of actual cost, T indicates an order terminating a rule, N.A. indicates not applicable, RAN indicates a rule action notice, RUC indicates a rule under consideration, and F indicates future effective date.

Rule Number	Agency	Emergency	Proposed	Order	In Addition
OFFICE OF ADMINISTRATION					
1 CSR 10	State Officials' Salary Compensation Schedule				37 MoReg 1859
1 CSR 10-15.010	Commissioner of Administration	38 MoReg 5	38 MoReg 7		
DEPARTMENT OF AGRICULTURE					
2 CSR 30-2.020	Animal Health	37 MoReg 1699	37 MoReg 1762		
2 CSR 30-10.010	Animal Health	38 MoReg 5	38 MoReg 82		
2 CSR 70-11.070	Plant Industries	37 MoReg 1637	37 MoReg 1640		
2 CSR 90-10	Weights and Measures				37 MoReg 1197
DEPARTMENT OF CONSERVATION					
3 CSR 10-4.117	Conservation Commission		37 MoReg 1562	38 MoReg 199	
3 CSR 10-5.205	Conservation Commission		37 MoReg 1562	38 MoReg 199	
3 CSR 10-6.415	Conservation Commission		37 MoReg 1563	38 MoReg 199	
3 CSR 10-6.545	Conservation Commission		37 MoReg 1563	38 MoReg 199	
3 CSR 10-7.431	Conservation Commission		38 MoReg 248		
3 CSR 10-7.455	Conservation Commission		38 MoReg 248		38 MoReg 212
3 CSR 10-9.110	Conservation Commission		37 MoReg 1563	38 MoReg 199	
3 CSR 10-11.180	Conservation Commission		37 MoReg 1564	38 MoReg 200	
3 CSR 10-11.200	Conservation Commission		37 MoReg 1565	38 MoReg 200	
3 CSR 10-11.205	Conservation Commission		37 MoReg 1566	38 MoReg 200	
3 CSR 10-11.210	Conservation Commission		37 MoReg 1566	38 MoReg 200	
3 CSR 10-11.215	Conservation Commission		37 MoReg 1567	38 MoReg 200	
3 CSR 10-12.110	Conservation Commission		37 MoReg 1567	38 MoReg 200	
3 CSR 10-12.115	Conservation Commission		37 MoReg 1568	38 MoReg 201	
3 CSR 10-12.125	Conservation Commission		37 MoReg 1568	38 MoReg 201	
3 CSR 10-12.140	Conservation Commission		37 MoReg 1569	38 MoReg 201	
3 CSR 10-12.145	Conservation Commission		37 MoReg 1570	38 MoReg 201	
DEPARTMENT OF ECONOMIC DEVELOPMENT					
4 CSR 195-6.010	Division of Workforce Development		38 MoReg 171		
4 CSR 195-6.020	Division of Workforce Development		38 MoReg 171		
4 CSR 195-6.030	Division of Workforce Development		38 MoReg 172		
4 CSR 195-6.040	Division of Workforce Development		38 MoReg 173		
4 CSR 195-6.050	Division of Workforce Development		38 MoReg 173		
4 CSR 240-31.010	Public Service Commission	37 MoReg 1003	37 MoReg 1007	37 MoReg 1649	
4 CSR 240-40.020	Public Service Commission		38 MoReg 82		
4 CSR 240-40.030	Public Service Commission		38 MoReg 86		
4 CSR 240-40.080	Public Service Commission		38 MoReg 99		
DEPARTMENT OF ELEMENTARY AND SECONDARY EDUCATION					
5 CSR 20-100.255	Division of Learning Services		37 MoReg 1571		
5 CSR 20-100.260	Division of Learning Services		38 MoReg 99		
5 CSR 20-200.280	Division of Learning Services		37 MoReg 1766		
5 CSR 20-400.270	Division of Learning Services		38 MoReg 105		
5 CSR 20-400.280	Division of Learning Services		37 MoReg 1643		
5 CSR 20-400.310	Division of Learning Services		37 MoReg 1450	This Issue	
5 CSR 20-400.340	Division of Learning Services		37 MoReg 1453R	This IssueR	
5 CSR 20-400.350	Division of Learning Services		37 MoReg 1453R	This IssueR	
5 CSR 20-400.420	Division of Learning Services		37 MoReg 1453R	This IssueR	
5 CSR 20-400.440	Division of Learning Services		37 MoReg 1453	This Issue	
5 CSR 20-600.130	Division of Learning Services		37 MoReg 1457	This Issue	
DEPARTMENT OF HIGHER EDUCATION					
6 CSR 10-2.190	Commissioner of Higher Education		38 MoReg 174		
6 CSR 10-5.010	Commissioner of Higher Education		37 MoReg 1522	38 MoReg 201	
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS					
8 CSR 30-3.060	Division of Labor Standards		37 MoReg 1393	38 MoReg 202	
DEPARTMENT OF NATURAL RESOURCES					
10 CSR 10-1.010	Air Conservation Commission		37 MoReg 1646		
10 CSR 10-2.330	Air Conservation Commission		37 MoReg 1769		
10 CSR 10-6.020	Air Conservation Commission		37 MoReg 1222	38 MoReg 106	
10 CSR 10-6.191	Air Conservation Commission		37 MoReg 1460		
10 CSR 10-6.368	Air Conservation Commission		37 MoReg 1460R		
10 CSR 23-1.075	Division of Geology and Land Survey		This Issue		
10 CSR 40-3.040	Land Reclamation Commission		38 MoReg 177		
10 CSR 40-3.060	Land Reclamation Commission		38 MoReg 178		
10 CSR 40-3.170	Land Reclamation Commission		38 MoReg 178		
10 CSR 40-3.180	Land Reclamation Commission		38 MoReg 178		
10 CSR 40-3.200	Land Reclamation Commission		38 MoReg 179		
10 CSR 40-3.210	Land Reclamation Commission		38 MoReg 181		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
10 CSR 40-3.220	Land Reclamation Commission		38 MoReg 181		
10 CSR 40-3.230	Land Reclamation Commission		38 MoReg 182		
10 CSR 40-3.240	Land Reclamation Commission		38 MoReg 182		
10 CSR 40-3.260	Land Reclamation Commission		38 MoReg 182		
10 CSR 40-3.300	Land Reclamation Commission		38 MoReg 183		
10 CSR 40-6.020	Land Reclamation Commission		38 MoReg 183		
10 CSR 40-6.030	Land Reclamation Commission		38 MoReg 184		
10 CSR 40-6.040	Land Reclamation Commission		38 MoReg 184		
10 CSR 40-6.050	Land Reclamation Commission		38 MoReg 185		
10 CSR 40-6.060	Land Reclamation Commission		38 MoReg 185		
10 CSR 40-6.070	Land Reclamation Commission		38 MoReg 186		
10 CSR 40-6.100	Land Reclamation Commission		38 MoReg 187		
10 CSR 40-6.110	Land Reclamation Commission		38 MoReg 187		
10 CSR 40-6.120	Land Reclamation Commission		38 MoReg 188		
10 CSR 40-7.050	Land Reclamation Commission		38 MoReg 189		
10 CSR 40-8.010	Land Reclamation Commission		38 MoReg 190		
10 CSR 40-8.020	Land Reclamation Commission		38 MoReg 195		
10 CSR 40-8.070	Land Reclamation Commission		38 MoReg 195		
10 CSR 100-2.010	Petroleum Storage Tank Insurance Fund Board of Trustees		37 MoReg 1395	38 MoReg 251	
10 CSR 100-4.010	Petroleum Storage Tank Insurance Fund Board of Trustees		37 MoReg 1395	38 MoReg 251	
10 CSR 100-4.020	Petroleum Storage Tank Insurance Fund Board of Trustees		37 MoReg 1397	38 MoReg 251	
10 CSR 140-2	Division of Energy				37 MoReg 1062
DEPARTMENT OF PUBLIC SAFETY					
11 CSR 30-14.010	Office of the Director	38 MoReg 243	38 MoReg 249		
11 CSR 45-4.050	Missouri Gaming Commission		37 MoReg 1461R	This IssueR	
11 CSR 45-4.055	Missouri Gaming Commission		37 MoReg 1461	This Issue	
11 CSR 45-4.190	Missouri Gaming Commission		37 MoReg 1462	This Issue	
11 CSR 45-4.205	Missouri Gaming Commission		37 MoReg 1462	This Issue	
11 CSR 45-4.240	Missouri Gaming Commission		37 MoReg 1462	This Issue	
11 CSR 45-4.250	Missouri Gaming Commission		37 MoReg 1463	This Issue	
11 CSR 45-4.260	Missouri Gaming Commission		37 MoReg 1463	This Issue	
11 CSR 45-4.380	Missouri Gaming Commission		37 MoReg 1463	This Issue	
11 CSR 45-4.390	Missouri Gaming Commission		37 MoReg 1464	This Issue	
11 CSR 45-5.184	Missouri Gaming Commission		37 MoReg 1464	This Issue	
11 CSR 45-5.193	Missouri Gaming Commission		37 MoReg 1583		
11 CSR 45-8.130	Missouri Gaming Commission		37 MoReg 1466	This Issue	
11 CSR 45-9.105	Missouri Gaming Commission		37 MoReg 1583		
11 CSR 45-9.106	Missouri Gaming Commission		37 MoReg 1770		
11 CSR 45-9.118	Missouri Gaming Commission		37 MoReg 1587		
11 CSR 45-9.120	Missouri Gaming Commission		37 MoReg 1770		
11 CSR 50-3.100	Missouri State Highway Patrol	37 MoReg 1439	37 MoReg 1472		
DEPARTMENT OF REVENUE					
12 CSR 10-24.462	Director of Revenue		37 MoReg 1533R	38 MoReg 251R	
12 CSR 10-41.010	Director of Revenue	37 MoReg 1701	37 MoReg 1770		
12 CSR 10-41.025	Director of Revenue		This Issue		
12 CSR 10-41.030	Director of Revenue		This Issue		
12 CSR 10-104.030	Director of Revenue		This Issue		
12 CSR 30-2.015	State Tax Commission		37 MoReg 1473	38 MoReg 202	
12 CSR 30-3.010	State Tax Commission		37 MoReg 1473	38 MoReg 202	
12 CSR 30-3.065	State Tax Commission		37 MoReg 1473	38 MoReg 202W	
DEPARTMENT OF SOCIAL SERVICES					
13 CSR 35-100.010	Children's Division		37 MoReg 1587		
13 CSR 35-100.030	Children's Division		37 MoReg 1592		
13 CSR 40-2.400	Family Support Division		37 MoReg 1149	38 MoReg 123	
13 CSR 40-2.410	Family Support Division		37 MoReg 1150	38 MoReg 126	
13 CSR 40-2.420	Family Support Division		37 MoReg 1154	38 MoReg 131	
13 CSR 40-2.430	Family Support Division		37 MoReg 1157	38 MoReg 134	
13 CSR 40-2.440	Family Support Division		37 MoReg 1159	38 MoReg 137	
13 CSR 40-2.450	Family Support Division		37 MoReg 1163	38 MoReg 140	
RETIREMENT SYSTEMS					
16 CSR 10-3.010	The Public School Retirement System of Missouri		37 MoReg 1774		
16 CSR 10-6.020	The Public School Retirement System of Missouri		37 MoReg 1774		
16 CSR 20-2.048	Missouri Local Government Employees' Retirement System (LAGERS)		37 MoReg 1533	38 MoReg 202	
16 CSR 50-2.120	The County Employees' Retirement Fund		37 MoReg 1533	This Issue	
16 CSR 50-10.030	The County Employees' Retirement Fund		37 MoReg 1534	This Issue	
16 CSR 50-10.050	The County Employees' Retirement Fund		37 MoReg 1534	This Issue	
16 CSR 50-10.080	The County Employees' Retirement Fund		37 MoReg 1535	This Issue	
16 CSR 50-10.090	The County Employees' Retirement Fund		37 MoReg 1535	This Issue	
16 CSR 50-20.120	The County Employees' Retirement Fund		37 MoReg 1535	This Issue	
DEPARTMENT OF HEALTH AND SENIOR SERVICES					
19 CSR 30-40.710	Division of Regulation and Licensure		37 MoReg 1889		
19 CSR 30-40.720	Division of Regulation and Licensure		37 MoReg 1891		
19 CSR 30-40.730	Division of Regulation and Licensure		37 MoReg 1907		
19 CSR 30-40.740	Division of Regulation and Licensure		37 MoReg 2073		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
19 CSR 30-40.750	Division of Regulation and Licensure		37 MoReg 2075		
19 CSR 30-40.760	Division of Regulation and Licensure		37 MoReg 2097		
19 CSR 30-40.770	Division of Regulation and Licensure		37 MoReg 2284		
19 CSR 30-40.780	Division of Regulation and Licensure		37 MoReg 2284		
19 CSR 30-40.790	Division of Regulation and Licensure		37 MoReg 2285		
19 CSR 60-50	Missouri Health Facilities Review Committee				38 MoReg 253
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION					
20 CSR	Applied Behavior Analysis Maximum Benefit				37 MoReg 472
20 CSR	Construction Claims Binding Arbitration Cap				37 MoReg 62
					38 MoReg 147
20 CSR	Sovereign Immunity Limits				37 MoReg 62
					38 MoReg 147
20 CSR	State Legal Expense Fund Cap				37 MoReg 62
					38 MoReg 147
20 CSR 2010-2.005	Missouri State Board of Accountancy		37 MoReg 1399	38 MoReg 142	
20 CSR 2010-3.010	Missouri State Board of Accountancy		37 MoReg 1400	38 MoReg 142	
20 CSR 2010-3.060	Missouri State Board of Accountancy		37 MoReg 1400	38 MoReg 143	
20 CSR 2010-5.070	Missouri State Board of Accountancy		37 MoReg 1400	38 MoReg 143	
20 CSR 2110-2.120	Missouri Dental Board		37 MoReg 1318R	38 MoReg 143R	
			37 MoReg 1318	38 MoReg 143	
20 CSR 2110-2.130	Missouri Dental Board		37 MoReg 1325	38 MoReg 143	
20 CSR 2110-2.170	Missouri Dental Board	37 MoReg 1291	37 MoReg 1331	38 MoReg 144	
20 CSR 2110-4.010	Missouri Dental Board		37 MoReg 1336R	38 MoReg 144R	
			37 MoReg 1336	38 MoReg 144	
20 CSR 2110-4.020	Missouri Dental Board		37 MoReg 1338R	38 MoReg 144R	
			37 MoReg 1338	38 MoReg 144	
20 CSR 2110-4.030	Missouri Dental Board		37 MoReg 1346	38 MoReg 145	
20 CSR 2110-4.040	Missouri Dental Board		37 MoReg 1349	38 MoReg 145	
20 CSR 2150-2.170	State Board of Registration for the Healing Arts		37 MoReg 1401	38 MoReg 202	
20 CSR 2165-2.025	Board of Examiners for Hearing Instrument Specialists		This Issue		
20 CSR 2165-2.030	Board of Examiners for Hearing Instrument Specialists		This Issue		
20 CSR 2200-2.001	State Board of Nursing		This Issue		
20 CSR 2200-2.010	State Board of Nursing		This Issue		
20 CSR 2200-2.020	State Board of Nursing		This Issue		
20 CSR 2200-2.030	State Board of Nursing		This Issue		
20 CSR 2200-2.035	State Board of Nursing		This Issue		
20 CSR 2200-2.040	State Board of Nursing		This Issue		
20 CSR 2200-2.060	State Board of Nursing		This Issue		
20 CSR 2200-2.070	State Board of Nursing		This Issue		
20 CSR 2200-2.080	State Board of Nursing		This Issue		
20 CSR 2200-2.085	State Board of Nursing		This Issue		
20 CSR 2200-2.090	State Board of Nursing		This Issue		
20 CSR 2200-2.100	State Board of Nursing		This Issue		
20 CSR 2200-2.110	State Board of Nursing		This Issue		
20 CSR 2200-2.120	State Board of Nursing		This Issue		
20 CSR 2200-2.130	State Board of Nursing		This Issue		
20 CSR 2200-2.180	State Board of Nursing		This Issue		
20 CSR 2200-3.001	State Board of Nursing		This Issue		
20 CSR 2200-3.010	State Board of Nursing		This Issue		
20 CSR 2200-3.020	State Board of Nursing		This Issue		
20 CSR 2200-3.030	State Board of Nursing		This Issue		
20 CSR 2200-3.035	State Board of Nursing		This Issue		
20 CSR 2200-3.040	State Board of Nursing		This Issue		
20 CSR 2200-3.060	State Board of Nursing		This Issue		
20 CSR 2200-3.070	State Board of Nursing		This Issue		
20 CSR 2200-3.080	State Board of Nursing		This Issue		
20 CSR 2200-3.085	State Board of Nursing		This Issue		
20 CSR 2200-3.090	State Board of Nursing		This Issue		
20 CSR 2200-3.100	State Board of Nursing		This Issue		
20 CSR 2200-3.110	State Board of Nursing		This Issue		
20 CSR 2200-3.120	State Board of Nursing		This Issue		
20 CSR 2200-3.130	State Board of Nursing		This Issue		
20 CSR 2200-3.180	State Board of Nursing		This Issue		
20 CSR 2220-2.017	State Board of Pharmacy		This Issue		
20 CSR 2220-2.018	State Board of Pharmacy		This Issue		
20 CSR 2220-2.030	State Board of Pharmacy		This IssueR		
20 CSR 2220-2.032	State Board of Pharmacy		This IssueR		
20 CSR 2220-2.034	State Board of Pharmacy		This IssueR		
20 CSR 2220-2.036	State Board of Pharmacy		This IssueR		
20 CSR 2220-2.080	State Board of Pharmacy		This Issue		
20 CSR 2220-2.083	State Board of Pharmacy		This Issue		
20 CSR 2220-2.100	State Board of Pharmacy		This IssueR		
20 CSR 2220-2.450	State Board of Pharmacy		This IssueR		
20 CSR 2220-4.010	State Board of Pharmacy	37 MoReg 1221	37 MoReg 1244	37 MoReg 1858	
20 CSR 2220-6.100	State Board of Pharmacy		37 MoReg 2286		
20 CSR 2220-7.010	State Board of Pharmacy		This Issue		
20 CSR 2220-7.025	State Board of Pharmacy		This Issue		
20 CSR 2220-7.027	State Board of Pharmacy		This Issue		
20 CSR 2220-7.030	State Board of Pharmacy		This Issue		
20 CSR 2220-7.040	State Board of Pharmacy		This Issue		
20 CSR 2220-7.050	State Board of Pharmacy		This Issue		

Rule Number	Agency	Emergency	Proposed	Order	In Addition
20 CSR 2220-7.060	State Board of Pharmacy		This Issue		
20 CSR 2220-7.070	State Board of Pharmacy		This Issue		
20 CSR 2220-7.080	State Board of Pharmacy		This Issue		
20 CSR 2220-7.090	State Board of Pharmacy		This Issue		
20 CSR 2245-1.010	Real Estate Appraisers		37 MoReg 2299		
20 CSR 2245-2.010	Real Estate Appraisers		37 MoReg 2299		
20 CSR 2245-3.001	Real Estate Appraisers		37 MoReg 2299		
20 CSR 2245-3.005	Real Estate Appraisers		37 MoReg 2300		
20 CSR 2245-3.010	Real Estate Appraisers		37 MoReg 2304		
20 CSR 2245-4.050	Real Estate Appraisers		37 MoReg 2305		
20 CSR 2245-5.020	Real Estate Appraisers		37 MoReg 2305		
20 CSR 2245-6.016	Real Estate Appraisers		37 MoReg 2313		
20 CSR 2245-10.010	Real Estate Appraisers		37 MoReg 2315		
20 CSR 2245-10.020	Real Estate Appraisers		37 MoReg 2316		
20 CSR 2245-10.030	Real Estate Appraisers		37 MoReg 2317		
20 CSR 2245-10.040	Real Estate Appraisers		37 MoReg 2318		
20 CSR 2263-1.040	State Committee for Social Workers	37 MoReg 1561	37 MoReg 1601	38 MoReg 205	
20 CSR 2270-2.060	Missouri Veterinary Medical Board		This Issue		
20 CSR 2270-2.072	Missouri Veterinary Medical Board		37 MoReg 1605	38 MoReg 252	
20 CSR 2270-3.030	Missouri Veterinary Medical Board		This Issue		
20 CSR 2270-4.042	Missouri Veterinary Medical Board		This Issue		
MISSOURI CONSOLIDATED HEALTH CARE PLAN					
22 CSR 10-2.010	Health Care Plan	37 MoReg 1701	37 MoReg 1774		
22 CSR 10-2.020	Health Care Plan	37 MoReg 1705R	37 MoReg 1778R		
		37 MoReg 1705	37 MoReg 1778		
22 CSR 10-2.030	Health Care Plan		37 MoReg 1790		
22 CSR 10-2.045	Health Care Plan	37 MoReg 1715	37 MoReg 1794		
22 CSR 10-2.051	Health Care Plan	37 MoReg 1716	37 MoReg 1795		
22 CSR 10-2.052	Health Care Plan	37 MoReg 1717	37 MoReg 1795		
22 CSR 10-2.053	Health Care Plan	37 MoReg 1717	37 MoReg 1796		
22 CSR 10-2.054	Health Care Plan		37 MoReg 1800		
22 CSR 10-2.055	Health Care Plan	37 MoReg 1719	37 MoReg 1800		
22 CSR 10-2.060	Health Care Plan	37 MoReg 1724	37 MoReg 1808		
22 CSR 10-2.070	Health Care Plan	37 MoReg 1726	37 MoReg 1809		
22 CSR 10-2.075	Health Care Plan	37 MoReg 1727	37 MoReg 1809		
22 CSR 10-2.080	Health Care Plan		37 MoReg 1812		
22 CSR 10-2.090	Health Care Plan	37 MoReg 1729	37 MoReg 1812		
22 CSR 10-2.091	Health Care Plan	37 MoReg 1732R	37 MoReg 1818R		
22 CSR 10-2.094	Health Care Plan	37 MoReg 1440	37 MoReg 1474	38 MoReg 205	
22 CSR 10-2.110	Health Care Plan	37 MoReg 1441	37 MoReg 1477	38 MoReg 206	
22 CSR 10-2.120	Health Care Plan	37 MoReg 1446	37 MoReg 1484	38 MoReg 210	
22 CSR 10-2.130	Health Care Plan	37 MoReg 1732	37 MoReg 1818		
22 CSR 10-3.010	Health Care Plan	37 MoReg 1733	37 MoReg 1820		
22 CSR 10-3.020	Health Care Plan	37 MoReg 1736R	37 MoReg 1823R		
		37 MoReg 1736	37 MoReg 1823		
22 CSR 10-3.030	Health Care Plan		37 MoReg 1833		
22 CSR 10-3.045	Health Care Plan	37 MoReg 1743	37 MoReg 1834		
22 CSR 10-3.053	Health Care Plan	37 MoReg 1744	37 MoReg 1835		
22 CSR 10-3.054	Health Care Plan	37 MoReg 1745	37 MoReg 1836		
22 CSR 10-3.055	Health Care Plan	37 MoReg 1746	37 MoReg 1836		
22 CSR 10-3.056	Health Care Plan	37 MoReg 1747	37 MoReg 1837		
22 CSR 10-3.057	Health Care Plan	37 MoReg 1748	37 MoReg 1838		
22 CSR 10-3.060	Health Care Plan	37 MoReg 1754	37 MoReg 1846		
22 CSR 10-3.070	Health Care Plan	37 MoReg 1755	37 MoReg 1847		
22 CSR 10-3.075	Health Care Plan	37 MoReg 1756	37 MoReg 1847		
22 CSR 10-3.080	Health Care Plan		37 MoReg 1850		
22 CSR 10-3.090	Health Care Plan	37 MoReg 1758	37 MoReg 1850		
22 CSR 10-3.130	Health Care Plan	37 MoReg 1761	37 MoReg 1856		

Agency	Publication	Effective	Expiration
Office of Administration			
Commissioner of Administration			
1 CSR 10-15.010 Cafeteria Plan . . . . .	.38 MoReg 5	Jan. 1, 2013	June 29, 2013
Department of Agriculture			
Animal Health			
2 CSR 30-2.020 Movement of Livestock, Poultry, and Exotic Animals			
Within Missouri . . . . .	.37 MoReg 1699	Nov. 8, 2012	May 6, 2013
2 CSR 30-10.010 Inspection of Meat and Poultry . . . . .	.38 MoReg 5	Jan. 1, 2013	June 29, 2013
Plant Industries			
2 CSR 70-11.070 Pine Shoot Beetle Intrastate Quarantine . . . . .	.37 MoReg 1637	Oct. 12, 2012	April 9, 2013
Department of Economic Development			
Public Service Commission			
4 CSR 240-31.010 Definitions . . . . .	.37 MoReg 1003	June 1, 2012	Feb. 28, 2013
Department of Public Safety			
Office of the Director			
11 CSR 30-14.010 Approval of Accrediting Organizations for Crime			
Laboratories . . . . .	.38 MoReg 243	Jan. 18, 2013	July 16, 2013
Missouri State Highway Patrol			
11 CSR 50-3.100 Nonresident Temporary Boater Identification Certificate . . . . .	.37 MoReg 1439	Sept. 14, 2012	March 12, 2013
Department of Revenue			
Director of Revenue			
12 CSR 10-41.010 Annual Adjusted Rate of Interest . . . . .	.37 MoReg 1701	Jan. 1, 2013	June 29, 2013
Elected Officials			
Treasurer			
15 CSR 50-4.030 Missouri MOST 529 Matching Grant Program . . . . .	.Next Issue	Feb. 2, 2013	July 31, 2013
Department of Insurance, Financial Institutions and Professional Registration			
Missouri Dental Board			
20 CSR 2110-2.170 Fees . . . . .	.37 MoReg 1291	Aug. 5, 2012	Feb. 28, 2013
State Board of Pharmacy			
20 CSR 2220-4.010 General Fees . . . . .	.37 MoReg 1221	July 31, 2012	Feb. 28, 2013
State Committee for Social Workers			
20 CSR 2263-1.040 School Social Worker Examinations Approved by			
the Committee . . . . .	.37 MoReg 1561	Sept. 28, 2012	March 26, 2013
Missouri Consolidated Health Care Plan			
Health Care Plan			
22 CSR 10-2.010 Definitions . . . . .	.37 MoReg 1701	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.020 General Membership Provisions . . . . .	.37 MoReg 1702	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.020 General Membership Provisions . . . . .	.37 MoReg 1702	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.045 Plan Utilization Review Policy . . . . .	.37 MoReg 1715	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.051 PPO 300 Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1716	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.052 PPO 600 Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1717	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.053 High Deductible Health Plan Benefit Provisions			
and Covered Charges . . . . .	.37 MoReg 1717	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.055 Medical Plan Benefit Provisions and Covered Charges . . . . .	.37 MoReg 1719	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.060 PPO 300 Plan, PPO 600 Plan, and HDHP Limitations . . . . .	.37 MoReg 1724	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.070 Coordination of Benefits . . . . .	.37 MoReg 1726	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.075 Review and Appeals Procedure . . . . .	.37 MoReg 1727	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.090 Pharmacy Benefit Summary . . . . .	.37 MoReg 1729	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.091 Wellness Program Coverage, Provisions, and Limitations . . . . .	.37 MoReg 1732	Jan. 1, 2013	June 29, 2013
22 CSR 10-2.094 Tobacco-Free Incentive Provisions and Limitations . . . . .	.37 MoReg 1440	Oct. 1, 2012	term. Feb. 27, 2013
22 CSR 10-2.110 General Foster Parent Membership Provisions . . . . .	.37 MoReg 1441	Oct. 1, 2012	term. Feb. 27, 2013
22 CSR 10-2.120 Wellness Program . . . . .	.37 MoReg 1446	Oct. 1, 2012	term. Feb. 27, 2013

Agency	Publication	Effective	Expiration
22 CSR 10-2.130	Additional Plan Options37 MoReg 1732	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.010	Definitions37 MoReg 1733	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.020	General Membership Provisions37 MoReg 1736	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.020	General Membership Provisions37 MoReg 1736	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.045	Plan Utilization Review Policy37 MoReg 1743	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.053	PPO 1000 Plan Benefit Provisions and Covered Charges . .37 MoReg 1744	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.054	PPO 2000 Plan Benefit Provisions and Covered Charges . .37 MoReg 1745	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.055	High Deductible Health Plan Benefit Provisions and Covered Charges37 MoReg 1746	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.056	PPO 600 Plan Benefit Provisions and Covered Charges . .37 MoReg 1747	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.057	Medical Plan Benefit Provisions and Covered Charges . .37 MoReg 1748	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.060	PPO 600 Plan, PPO 1000 Plan, PPO 2000 Plan, and HDHP Limitations37 MoReg 1754	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.070	Coordination of Benefits37 MoReg 1755	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.075	Review and Appeals Procedure37 MoReg 1756	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.090	Pharmacy Benefit Summary37 MoReg 1758	Jan. 1, 2013	June 29, 2013
22 CSR 10-3.130	Additional Plan Options37 MoReg 1761	Jan. 1, 2013	June 29, 2013

**Executive
Orders****Subject Matter****Filed Date****Publication****2012**

12-12	Reauthorizes the Governor's Committee to End Chronic Homelessness until December 31, 2016.	Dec. 31, 2012	38 MoReg 246
12-11	Advises that state offices located in Cole County will be closed on Monday, January 14, 2013, for the inauguration.	Dec. 20, 2012	38 MoReg 245
12-10	Advises that state offices will be closed on Friday November 23, 2012.	Nov. 2, 2012	37 MoReg 1639
12-09	Extends Executive Order 12-08 in order to extend the deadline for completion of approved projects under the Emergency Cost-Share Program and establishes a Program Audit and Compliance Team to inspect a sample of completed projects. It also extends Executive Order 12-07 until Nov. 15, 2012.	Sept. 10, 2012	37 MoReg 1519
12-08	Authorizes the State Soil and Water Districts Commission to implement an emergency cost-share program to address water challenges to landowners engaged in livestock or crop production due to the current drought. Additionally, it establishes the Agriculture Water Resource Technical Review Team.	July 23, 2012	37 MoReg 1294
12-07	Declares a state of emergency, directs the Missouri State Emergency Operations Plan be activated, and extends Executive Order 12-06 to Oct. 1, 2012, in response to the severe heat, dry conditions, and fire risks affecting the state.	July 23, 2012	37 MoReg 1292
12-06	Activates the Missouri State Emergency Operations Center and directs the State Emergency Management Agency, State Fire Marshall, Adjutant General, and such other agencies to coordinate with local authorities affected by fire danger due to the prolonged period of record heat and low precipitation	June 29, 2012	37 MoReg 1139
12-05	Extends Executive Orders 11-06, 12-03, 11-07, 11-11, 11-14, and 12-04 until June 1, 2012	March 13, 2012	37 MoReg 569
12-04	Activates the state militia in response to severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 503
12-03	Declares a state of emergency and directs that the Missouri State Emergency Operations Plan be activated due to the severe weather that began on February 28, 2012	Feb. 29, 2012	37 MoReg 501
12-02	Orders the transfer of all authority, powers, and duties of all remaining audit and compliance responsibilities relating to Medicaid Title XIX, SCHIP Title XXI, and Medicaid Waiver programs from the Dept. of Health and Senior Services and the Dept. of Mental Health to the Dept. of Social Services effective Aug. 28, 2012, unless disapproved within sixty days of its submission to the Second Regular Session of the 96th General Assembly	Jan. 23, 2012	37 MoReg 313
12-01	Designates members of the governor's staff to have supervisory authority over certain departments, divisions, and agencies	Jan. 23, 2012	37 MoReg 311

The rule number and the MoReg publication date follow each entry to this index.

ACCOUNTANCY, MISSOURI STATE BOARD OF,

definitions; 20 CSR 2010-2.005; 9/17/12, 1/2/13
effective dates and basic requirements; 20 CSR 2010-4.010; 9/4/12;
12/17/12
general purpose of ethics rules; 20 CSR 2010-3.010; 9/17/12,
1/2/13
other responsibilities and practices; 20 CSR 2010-3.060; 9/17/12,
1/2/13
peer review standards; 20 CSR 2010-5.070; 9/17/12, 1/2/13
requirements for an initial license to practice; 20 CSR 2010-2.061;
9/4/12, 12/17/12

ADMINISTRATION, OFFICE OF

cafeteria plan; 1 CSR 10-15.010; 1/2/13

ARCHITECTS, PROFESSIONAL ENGINEERS, PROFESSIONAL LAND SURVEYORS, AND LANDSCAPE ARCHITECTS, MISSOURI BOARD FOR,

application, renewal, reinstatement, relicensure, and miscellaneous
fees; 20 CSR 2030-6.015; 9/4/12, 12/17/12
continuing professional competency for professional engineers; 20
CSR 2030-11.015; 9/4/12, 12/17/12
criteria to file application under section 324.008.1., RSMo, for a
temporary courtesy license; 20 CSR 2030-4.055; 9/4/12,
12/17/12

AGRICULTURE

animal health

inspection of meat and poultry; 2 CSR 30-10.010; 1/2/13

plant industries

fee schedule; 2 CSR 70-10.075; 8/1/12
nonprofit nursery dealer defined; 2 CSR 70-10.025; 8/1/12
pine shoot beetle intrastate quarantine; 2 CSR 70-11.070;
11/15/12

state milk board

adoption of the *Grade "A" Pasteurized Milk Ordinance (PMO)*,
2011 revision of the United States Department of
Health and Human Services, Public Health
Service/Food and Drug Administration by reference;
2 CSR 80-3.130; 9/4/12, 12/17/12

dairy manufacturing plant, dairy manufacturing farm, and per-
sonnel licensure; 2 CSR 80-6.041; 9/4/12, 12/17/12

definitions

2 CSR 80-3.010; 9/4/12, 12/17/12

enforcement interpretation; 2 CSR 80-3.120; 9/4/12, 12/17/12
examination of milk and milk products, the; 2 CSR 80-3.060;
9/4/12, 12/17/12

grading of milk and milk products; 2 CSR 80-3.070; 9/4/12,
12/17/12

inspection of production and distribution facilities; 2 CSR 80-
3.050; 9/4/12, 12/17/12

labeling; 2 CSR 80-3.040; 9/4/12, 12/17/12

notification of disease; 2 CSR 80-3.100; 9/4/12, 12/17/12

permits; 2 CSR 80-3.030; 9/4/12, 12/17/12

procedure when infection is suspected; 2 CSR 80-3.110;
9/4/12, 12/17/12

protection and transportation of raw milk and cream; 2 CSR
80-6.021; 9/4/12, 12/17/12

sale of adulterated, ungraded, or misbranded milk or milk
products prohibited; 2 CSR 80-3.020; 9/4/12,
12/17/12

specifications for the construction and operation of facilities
and installation of equipment for the production and
processing of manufacturing milk and milk products; 2
CSR 80-6.011; 9/4/12, 12/17/12

suspension and reinstatement of permit; 2 CSR 80-3.080;
9/4/12, 12/17/12

transferring or dipping milk: delivery containers; cooling;
quarantined residences; 2 CSR 80-3.090; 9/4/12,
12/17/12

weights and measures

liquefied petroleum gases

definitions and general provisions; 2 CSR 90-10.001;
8/1/12, 12/17/12

inspection authority—duties; 2 CSR 90-10.011; 8/1/12,
12/17/12

installation requirements; 2 CSR 90-10.013; 8/1/12,
12/17/12

NFPA Manual; No. 54, *National Fuel Gas Code*; 2 CSR
90-10.020; 8/1/12, 12/17/12

NFPA Manual; No. 58, *Storage and Handling of
Liquefied Petroleum Gases*; 2 CSR 90-10.040;
8/1/12, 12/17/12

NFPA Manual; No. 1192, Chapter 5, *Standard for
Recreational Vehicles*; 2 CSR 90-10.090;
8/1/12, 12/17/12

registration—training; 2 CSR 90-10.012; 8/1/12, 12/17/12
reporting of odorized LP-gas release, fire, or explosion; 2
CSR 90-10.120; 8/1/12, 12/17/12

storage; 2 CSR 90-10.014; 8/1/12, 12/17/12

AIR QUALITY, AIR POLLUTION CONTROL

control of gasoline Reid vapor pressure; 10 CSR 10-2.330; 12/3/12

control of mercury emissions from electric generating units; 10

CSR 10-6.368; 10/1/12

definitions and common reference tables; 10 CSR 10-6.020;

8/15/12, 1/2/13

general organization; 10 CSR 10-1.010; 11/15/12

sewage sludge incinerators; 10 CSR 10-6.191; 10/1/12

CERTIFICATE OF NEED PROGRAM

application review schedule; 19 CSR 60-50; 12/3/12, 2/1/13

CHILDREN'S DIVISION

developmental disability care provider tax credit; 13 CSR 35-
100.030; 11/1/12

residential treatment agency tax credit; 13 CSR 35-100.010; 11/1/12

CONSERVATION, DEPARTMENT OF

bullfrogs and green frogs; 3 CSR 10-12.115; 11/1/12, 1/15/13

class I wildlife breeder permit; 3 CSR 10-9.350; 10/1/12

deer

hunting seasons: general provisions; 3 CSR 10-7.431; 2/1/13

fishing

daily and possession limits

3 CSR 10-11.210; 11/1/12, 1/15/13

3 CSR 10-12.140; 11/1/12, 1/15/13

general provisions and seasons; 3 CSR 10-11.200; 11/1/12,
1/15/13

length limits

3 CSR 10-11.215; 11/1/12, 1/15/13

3 CSR 10-12.145; 11/1/12, 1/15/13

methods and hours; 3 CSR 10-11.205; 11/1/12, 1/15/13

general prohibition; applications;

3 CSR 10-9.110; 11/1/12, 1/15/13

hunting

and trapping; 3 CSR 10-12.125; 11/1/12, 1/15/13

general provisions and seasons; 3 CSR 10-11.180; 11/1/12

licensed hunting preserve permit; 3 CSR 10-9.560; 10/1/12,
1/15/13

permits required; exceptions; 3 CSR 10-5.205; 11/1/12, 1/15/13

prohibited species; 3 CSR 10-4.117; 11/1/12, 1/15/13

restricted zones; 3 CSR 10-6.415; 11/1/12, 1/15/13

turkeys: seasons, methods, limits; 3 CSR 10-7.455; 1/15/13, 2/1/13
use of

boats and motors; 3 CSR 10-12.110; 11/1/12, 1/15/13

traps; 3 CSR 10-8.510; 9/17/12, 12/3/12

white bass, yellow bass, striped bass; 3 CSR 10-6.545; 11/1/12,
1/15/13

DENTAL BOARD, MISSOURI

conscious sedation; 20 CSR 2110-4.020; 9/4/12, 1/2/13

deep sedation/general anesthesia; 20 CSR 2110-4.040; 9/4/12,
1/2/13

definitions; 20 CSR 2110-4.010; 9/4/12, 1/2/13

dental assistants; 20 CSR 2110-2.120; 9/4/12, 1/2/13

dental hygienists; 20 CSR 2110-2.130; 9/4/12, 1/2/13

fees; 20 CSR 2110-2.170; 9/4/12, 1/2/13

guidelines for administration of moderate sedation; 20 CSR 2110-
4.030; 9/4/12, 1/2/13

moderate sedation; 20 CSR 2110-4.020; 9/4/12, 1/2/13

DRIVER LICENSE BUREAU RULES

prohibit release of information on peace officers and their immedi-
ate family; 12 CSR 10-24.462; 10/15/12, 2/1/13

ECONOMIC DEVELOPMENT, DEPARTMENT OF

workforce development, division of

eligibility requirements; 4 CSR 195-6.020; 1/15/13

invoicing, monitoring, and reporting; 4 CSR 195-6.050;
1/15/13

purpose; definitions; 4 CSR 195-6.010; 1/15/13

training agreements; 4 CSR 195-6.030; 1/15/13

training plans; 4 CSR 195-6.040; 1/15/13

ELEMENTARY AND SECONDARY EDUCATION, DEPART- MENT OF

administrative procedures for the minority teaching scholarship pro-
gram; 5 CSR 20-400.350; 10/1/12, 2/15/13

administrative procedures for the teacher education scholarship pro-
gram; 5 CSR 20-400.340; 10/1/12, 2/15/13

basic education competencies required prior to admission to
approved teacher education programs in Missouri; 5 CSR
20-400.310; 10/1/12, 2/15/13

fees; 5 CSR 20-400.270; 1/2/13

general provisions governing programs authorized under early
childhood development, education, and care; 5 CSR 20-
600.130; 10/1/12, 2/15/13

Missouri School Improvement Program—5 resources and process
standards and indicators; 5 CSR 20-100.255; 11/1/12

private school agriculture programs; 5 CSR 20-200.280; 12/3/12

procedures and standards for approval and accreditation of profes-
sional education programs in Missouri; 5 CSR 20-
400.440; 10/1/12, 2/15/13

required assessments for professional education certification in
Missouri; 5 CSR 20-400.280; 11/15/12

standards for charter sponsorship; 5 CSR 20-100.260; 1/2/13

urban flight and rural needs scholarship program; 5 CSR 20-
400.420; 10/1/12, 2/15/13

EXECUTIVE ORDERS

advises that state offices located in Cole County will be closed on
Monday, January 14, 2013, for the inauguration; 12-II;
2/1/13

reauthorizes the Governor's Committee to End Chronic
Homelessness until December 31, 2016; 12-12; 2/1/13

FAMILY SUPPORT DIVISION

assignment of a protective payee over temporary assistance benefits
when the head-of-household is declared ineligible for tem-
porary assistance pursuant to 13 CSR 40-2.400 through
13 CSR 40-2.450; 13 CSR 40-2.450; 8/1/12, 1/2/13

definitions for the screening and testing for illegal use of controlled
substances by temporary assistance applicants and recipi-
ents; 13 CSR 40-2.400; 8/1/12, 1/2/13

hearings for proceedings under 13 CSR 40-2.400 through 13 CSR
40-2.450; 13 CSR 40-2.440; 8/1/12, 1/2/13

screening temporary assistance applicants and recipients for illegal
use of a controlled substance; 13 CSR 40-2.410; 8/1/12,
1/2/13

substance abuse treatment program for temporary assistance recipi-
ents; 13 CSR 40-2.430; 8/1/12, 1/2/13

testing for the illegal use of a controlled substance by applicants
and recipients of temporary assistance; 13 CSR 40-2.420;
8/1/12, 1/2/13

GAMING COMMISSION, MISSOURI

affiliate supplier's license; 11 CSR 45-4.205; 10/1/12, 2/15/13

application period and fees for a class A license; 11 CSR 45-4.050;
10/1/12, 2/15/13

application period and fees for class A and class B license; 11 CSR
45-4.055; 10/1/12, 2/15/13

license renewal; 11 CSR 45-4.190; 10/1/12, 2/15/13

minimum internal control standards (MICS)

chapter E; 11 CSR 45-9.105; 11/1/12

chapter F; 11 CSR 45-9.106; 12/3/12

chapter R; 11 CSR 45-9.118; 11/1/12

chapter T; 11 CSR 45-9.120; 12/3/12

occupational and key person/key person business entity license
application and annual fees; 11 CSR 45-4.380; 10/1/12,
2/15/13

occupational licenses for class A, class B, suppliers and affiliate
suppliers; 11 CSR 45-4.260; 10/1/12, 2/15/13

occupational license renewal; 11 CSR 45-4.390; 10/1/12, 2/15/13

statistical performance of electronic gaming devices; 11 CSR 45-
5.193; 11/1/12

supplier's license application and annual fees; 11 CSR 45-4.240;
10/1/12, 2/15/13

supplier's license renewal; 11 CSR 45-4.250; 10/1/12, 2/15/13

table game cards—receipt, storage, inspections, and removal from
use; 11 CSR 45-5.184; 10/1/12, 2/15/13

tips and gifts; 11 CSR 45-8.130; 10/1/12, 2/15/13

GEOLOGY AND LAND SURVEY, DIVISION OF

disciplinary action and appeal procedures; 10 CSR 23-1.075;
2/15/13

HEALING ARTS, STATE BOARD OF REGISTRATION FOR THE

human chorionic gonadotropin (HCG) of no medical or osteopathic
value in the treatment of obesity and weight loss; 20 CSR
2150-2.170; 9/17/12, 1/15/13

HEALTH AND SENIOR SERVICES

regulation and licensure

community-based or regional plan for emergency medical ser-
vices for trauma, ST segment elevation myocardial
infarction (STEMI) or stroke; 19 CSR 30-40.770;
12/17/12

definitions and abbreviations relating to

stroke centers; 19 CSR 30-40.710; 12/17/12

ST segment elevation myocardial infarction (STEMI) cen-
ters; 19 CSR 30-40.740; 12/17/12

the transport protocol for stroke and the transport proto-
col for ST segment elevation myocardial infarction (STEMI) patients; 19 CSR 30-40.780;
12/17/12

standards for

stroke center designation; 19 CSR 30-40.730; 12/17/12

ST segment elevation myocardial infarction (STEMI) cen-
ter designation; 19 CSR 30-40.760; 12/17/12

stroke center designation application and review; 19 CSR 30-
40.720; 12/17/12

ST segment elevation myocardial infarction (STEMI) center designation application and review; 19 CSR 30-40.750; 12/17/12
transport protocol for stroke and ST segment elevation myocardial infarction (STEMI) patients; 19 CSR 30-40.790; 12/17/12

HEARING INSTRUMENT SPECIALISTS, BOARD OF EXAMINERS FOR

application procedures; 20 CSR 2165-2.025; 2/15/13
licensure by examination; 20 CSR 2165-2.030; 2/15/13

HIGHER EDUCATION, DEPARTMENT OF

A+ scholarship program; 6 CSR 10-2.190; 1/15/13
rules for certification of proprietary schools; 6 CSR 10-5.010; 10/15/12, 1/15/13

INSURANCE

applied behavior analysis maximum benefit; 20 CSR; 3/15/12
construction claims binding arbitration cap; 20 CSR; 1/2/13
sovereign immunity limits; 20 CSR; 1/2/13
state legal expense fund; 20 CSR; 1/2/13

LABOR AND INDUSTRIAL RELATIONS, DEPARTMENT OF

labor standards
occupational titles of work descriptions; 8 CSR 30-3.060; 9/17/12, 1/15/13

LAND RECLAMATION COMMISSION

air resource protection; 10 CSR 40-3.240; 1/15/13
applicability and general requirements; 10 CSR 40-8.070; 1/15/13
casing and sealing of exposed underground openings; 10 CSR 40-3.180; 1/15/13
definitions; 10 CSR 40-8.010; 1/15/13
disposal of underground development waste and excess spoil; 10 CSR 40-3.220; 1/15/13
exemption for coal extraction incident to government-financed highway or other construction; 10 CSR 40-8.020; 1/15/13
general requirements for coal exploration, permits; 10 CSR 40-6.020; 1/15/13
postmining land use requirements for underground operations; 10 CSR 40-3.300; 1/15/13
requirements, conditions, and terms of liability insurance; 10 CSR 40-7.050; 1/15/13
requirements for
backfilling and grading for underground operations; 10 CSR 40-3.260; 1/15/13
permits for special categories of surface coal mining and reclamation operations; 10 CSR 40-6.060; 1/15/13
protection of the hydrologic balance; 10 CSR 40-3.040; 1/15/13
protection of the hydrologic balance for underground operations; 10 CSR 40-3.200; 1/15/13
the disposal of
coal processing waste for underground operations; 10 CSR 40-3.230; 1/15/13
excess spoil; 10 CSR 40-3.060; 1/15/13
the use of explosives for underground operations; 10 CSR 40-3.210; 1/15/13
review, public participation, and approval of permit applications and permit terms and conditions; 10 CSR 40-6.070; 1/15/13
signs and markers for underground operations; 10 CSR 40-3.170; 1/15/13
surface mining permit applications—minimum requirements for information on environmental resources; 10 CSR 40-6.040; 1/15/13

legal, financial, compliance, and related information; 10 CSR 40-6.030; 1/15/13
reclamation and operations plan; 10 CSR 40-6.050; 1/15/13
underground mining permit applications—minimum requirements for information on environmental resources; 10 CSR 40-6.110; 1/15/13
legal, financial, compliance, and related information; 10 CSR 40-6.100; 1/15/13
reclamation and operations plan; 10 CSR 40-6.120; 1/15/13

MISSOURI CONSOLIDATED HEALTH CARE PLAN

public entity membership
additional plan options; 22 CSR 10-3.130; 12/3/12
agreement and participation period; 22 CSR 10-3.030; 12/3/12
coordination of benefits; 22 CSR 10-3.070; 12/3/12
definitions; 22 CSR 10-3.010; 12/3/12
general membership provisions; 22 CSR 10-3.020; 12/3/12
limitations
PPO 600 Plan, PPO 1000 Plan, PPO 2000 Plan, and HDHP; 22 CSR 10-3.060; 12/3/12
miscellaneous provisions; 22 CSR 10-3.080; 12/3/12
pharmacy benefit summary; 22 CSR 10-3.090; 12/3/12
plan benefit provisions and covered charges
high deductible health; 22 CSR 10-3.055; 12/3/12
medical; 22 CSR 10-3.057; 12/3/12
PPO 600; 22 CSR 10-3.056; 12/3/12
PPO 1000; 22 CSR 10-3.053; 12/3/12
PPO 2000; 22 CSR 10-3.054; 12/3/12
plan utilization review policy; 22 CSR 10-3.045; 12/3/12
review and appeals procedure; 22 CSR 10-3.075; 12/3/12
state membership
additional plan options; 22 CSR 10-2.130; 12/3/12
contributions; 22 CSR 10-2.030; 12/3/12
coordination of benefits; 22 CSR 10-2.070; 12/3/12
definitions; 22 CSR 10-2.010; 12/3/12
general foster parent membership provisions; 22 CSR 10-2.110; 10/1/12, 1/15/13
general membership provisions; 22 CSR 10-2.020; 12/3/12
limitations
PPO 300 Plan, PPO 600 Plan, and HDHP; 22 CSR 10-2.060; 12/3/12
miscellaneous provisions; 22 CSR 10-2.080; 12/3/12
pharmacy benefit summary; 22 CSR 10-2.090; 12/3/12
plan benefit provisions and covered charges
high deductible health; 22 CSR 10-2.053; 12/3/12
medical; 22 CSR 10-2.055; 12/3/12
Medicare supplement; 22 CSR 10-2.054; 12/3/12
PPO 300; 22 CSR 10-2.051; 12/3/12
PPO 600; 22 CSR 10-2.052; 12/3/12
plan utilization review policy; 22 CSR 10-2.045; 12/3/12
review and appeals procedure; 22 CSR 10-2.075; 12/3/12
tobacco-free incentive provisions and limitations; 22 CSR 10-2.094; 10/1/12, 1/15/13
wellness program; 22 CSR 10-2.120; 10/1/12, 1/15/13
wellness program coverage, provisions, and limitations; 22 CSR 10-2.091; 12/3/12

MO HEALTHNET

federal reimbursement allowance (FRA); 13 CSR 70-15.110; 8/1/12, 12/17/12
global per diem adjustments to nursing facility and HIV nursing facility reimbursement rates; 13 CSR 70-10.016; 8/1/12, 12/17/12
inpatient hospital services reimbursement plan; outpatient hospital services reimbursement methodology; 13 CSR 70-15.010; 8/1/12, 12/17/12
nursing facility reimbursement allowance; 13 CSR 70-10.110; 8/1/12, 12/17/12

prospective outpatient hospital services reimbursement methodology;
13 CSR 70-15.160; 8/1/12, 12/17/12

NURSING, STATE BOARD OF

administrator/faculty

20 CSR 2200-2.060; 2/15/13

20 CSR 2200-3.060; 2/15/13

approval

20 CSR 2200-2.010; 2/15/13

20 CSR 2200-3.010; 2/15/13

change in sponsorship; 20 CSR 2200-3.030; 2/15/13

change of sponsorship; 20 CSR 2200-2.030; 2/15/13

clinical sites

20 CSR 2200-2.080; 2/15/13

20 CSR 2200-3.080; 2/15/13

definitions

20 CSR 2200-2.001; 2/15/13

20 CSR 2200-3.001; 2/15/13

discontinuing and re-opening programs

20 CSR 2200-2.020; 2/15/13

20 CSR 2200-3.020; 2/15/13

educational programs

20 CSR 2200-2.100; 2/15/13

20 CSR 2200-3.100; 2/15/13

licensure examination performance

20 CSR 2200-2.180; 2/15/13

20 CSR 2200-3.180; 2/15/13

multiple campuses

20 CSR 2200-2.035; 2/15/13

20 CSR 2200-3.035; 2/15/13

physical facilities

20 CSR 2200-2.070; 2/15/13

20 CSR 2200-3.070; 2/15/13

preceptors

20 CSR 2200-2.085; 2/15/13

20 CSR 2200-3.085; 2/15/13

program changes requiring board approval, notification, or both

20 CSR 2200-2.040; 2/15/13

20 CSR 2200-3.040; 2/15/13

program evaluation

20 CSR 2200-2.130; 2/15/13

20 CSR 2200-3.130; 2/15/13

publications

20 CSR 2200-2.120; 2/15/13

20 CSR 2200-3.120; 2/15/13

records

20 CSR 2200-2.110; 2/15/13

20 CSR 2200-3.110; 2/15/13

students

20 CSR 2200-2.090; 2/15/13

20 CSR 2200-3.090; 2/15/13

PETROLEUM STORAGE TANK INSURANCE FUND BOARD OF TRUSTEES

definitions; 10 CSR 100-2.010; 9/17/12, 2/1/13

participation requirements for aboveground storage tanks; 10 CSR 100-4.020; 9/17/12, 2/1/13

participation requirements for underground storage tanks; 10 CSR 100-4.010; 9/17/12, 2/1/13

PHARMACY, STATE BOARD OF

approved Missouri schools/colleges of pharmacy; 20 CSR 2220-7.027; 2/15/13

continuing pharmacy education; 20 CSR 2220-2.100; 2/15/13

educational and licensing requirements 20 CSR 2220-2.030; 2/15/13

electronic prescription records; 20 CSR 2220-2.080; 2/15/13

electronic record-keeping systems; 20 CSR 2220-2.083; 2/15/13

fingerprint requirements

20 CSR 2220-2.450; 2/15/13

20 CSR 2220-7.090; 2/15/13

foreign graduates; 20 CSR 2220-7.040; 2/15/13

general fees; 20 CSR 2220-4.010; 8/15/12, 12/3/12

general licensing rules; 20 CSR 2220-7.010; 2/15/13

intern pharmacist licensure; 20 CSR 2220-7.025; 2/15/13

license transfer/reciprocity; 20 CSR 2220-7.050; 2/15/13

licensure by examinations for graduates of nonapproved foreign

pharmacy schools; 20 CSR 2200-2.032; 2/15/13

licensure by reciprocity for graduates of nonapproved foreign pharmacy schools who have been licensed in another state; 20 CSR 2220-2.034; 2/15/13

non-electronic (manual) prescription records; 20 CSR 2220-2.017; 2/15/13

pharmacist license renewal and continuing pharmacy education; 20 CSR 2220-7.080; 2/15/13

pharmacist licensure by examination; 20 CSR 2220-7.030; 2/15/13

pharmacy standards for dispensing blood clotting products; 20 CSR 2220-6.100; 12/17/12

prescription requirements; 20 CSR 2220-2.018; 2/15/13

score transfer; 20 CSR 2220-7.060; 2/15/13

temporary license; 20 CSR 2220-2.036; 2/15/13

temporary pharmacist license (post graduate training); 20 CSR 2220-7.070; 2/15/13

PROFESSIONAL REGISTRATION, DIVISION OF

designation of license renewal dates and related renewal information; 20 CSR 2231-2.010; 9/4/12, 12/17/12

general organization; 20 CSR 2231-1.010; 9/4/12, 12/17/12

PUBLIC SAFETY, DEPARTMENT OF

director, office of

approval of accrediting organizations for crime laboratories; 11 CSR 30-14.010; 2/1/13

Missouri State Highway Patrol

aids to navigation and regulatory markers; 11 CSR 50-3.060; 10/1/12

display of expiration (renewal) stickers; 11 CSR 50-3.050; 10/1/12

display of identification numbers; 11 CSR 50-3.040; 10/1/12

diver's flag; 11 CSR 50-3.020; 10/1/12

mandatory boater safety education program; 11 CSR 50-3.090; 10/1/12

nonresident temporary boater identification certificate; 11 CSR 50-3.100; 10/1/12

organization and methods of operation; 11 CSR 50-3.010; 10/1/12

reporting a cancellation or change in regetta permit; 11 CSR 50-3.080; 10/1/12

reporting requirements; 11 CSR 50-3.070; 10/1/12

ski mirror; 11 CSR 50-3.030; 10/1/12

Missouri State Water Patrol

aids to navigation and regulatory markers; 11 CSR 80-5.010; 10/1/12

display of expiration (renewal) stickers; 11 CSR 80-7.010; 10/1/12

display of identification numbers; 11 CSR 80-4.010; 10/1/12

diver's flag; 11 CSR 80-2.010; 10/1/12

mandatory boater safety education program; 11 CSR 80-9.010; 10/1/12

organization and methods of operation; 11 CSR 80-1.010; 10/1/12

reporting a cancellation or change in regetta permit; 11 CSR 80-8.010; 10/1/12

reporting requirements; 11 CSR 80-6.010; 10/1/12

temporary nonresident rental vessel operator permits; 11 CSR 80-9.020; 10/1/12
ski mirror; 11 CSR 80-3.010; 10/1/12

PUBLIC SERVICE COMMISSION

drug and alcohol testing; 4 CSR 240-40.080; 1/2/13
incident, annual, and safety-related condition reporting requirements; 4 CSR 240-40.020; 1/2/13
safety standards—transportation of gas by pipeline; 4 CSR 240-40.030; 1/2/13

REAL ESTATE APPRAISERS

application, certification and license fees; 20 CSR 2245-5.020; 12/17/12
applications for certification and licensure; 20 CSR 2245-3.010; 12/17/12
appraisal management company standards of practice; 20 CSR 2245-10.020; 12/17/12
appraiser management company application requirements; 20 CSR 2245-10.010; 12/17/12
definitions; 20 CSR 2245-2.010; 12/17/12
examination and education; 20 CSR 2245-6.016; 12/17/12
general organization; 20 CSR 2245-1.010; 12/17/12
implementation of 2015 AQB criteria; 20 CSR 2245-3.001; 12/17/12

nonresident certification or licensure; reciprocity; 20 CSR 2245-4.050; 12/17/12
renewal; 20 CSR 2245-10.030; 12/17/12
surety bond requirements; 20 CSR 2245-10.040; 12/17/12
trainee real estate appraiser registration; 20 CSR 2245-3.005; 12/17/12

REAL ESTATE COMMISSION, MISSOURI

disputes; 20 CSR 2250-2.040; 9/4/12, 12/17/12

RETIREMENT SYSTEMS

county employees' retirement fund
benefits upon participant's death; 16 CSR 50-2.120; 10/15/12, 2/15/13
contributions; 16 CSR 50-10.030; 10/15/12, 2/15/13
distribution of accounts; 16 CSR 50-10.050; 10/15/12, 2/15/13
latest distribution date; 16 CSR 50-20.120; 10/15/12, 2/15/13
miscellaneous defined contribution plan rules; 16 CSR 50-10.090; 10/15/12, 2/15/13
plan administration; 16 CSR 50-10.080; 10/15/12, 2/15/13
LAGERS (Missouri local government employees' retirement system)
definitive break in service to determine eligibility for benefits; 16 CSR 20-2.048; 10/15/12, 1/15/13
public school retirement system of Missouri, the
payment of funds to the retirement system; 16 CSR 10-3.010; 12/3/12
source of funds; 16 CSR 10-6.020; 12/3/12

SOCIAL WORKERS, STATE COMMITTEE FOR

school social worker examinations approved by the committee; 20 CSR 2263-1.040; 11/1/12, 1/15/13

TAX

annual adjusted rate of interest; 12 CSR 10-41.010, 12/3/12
disclosure of confidential taxpayer information to officers, members, partners, and employees of a business; 12 CSR 10-41.025, 2/15/13
filing requirements; 12 CSR 10-104.030, 2/15/13
power of attorney; 12 CSR 10-41.030, 2/15/13

TAX COMMISSION, STATE

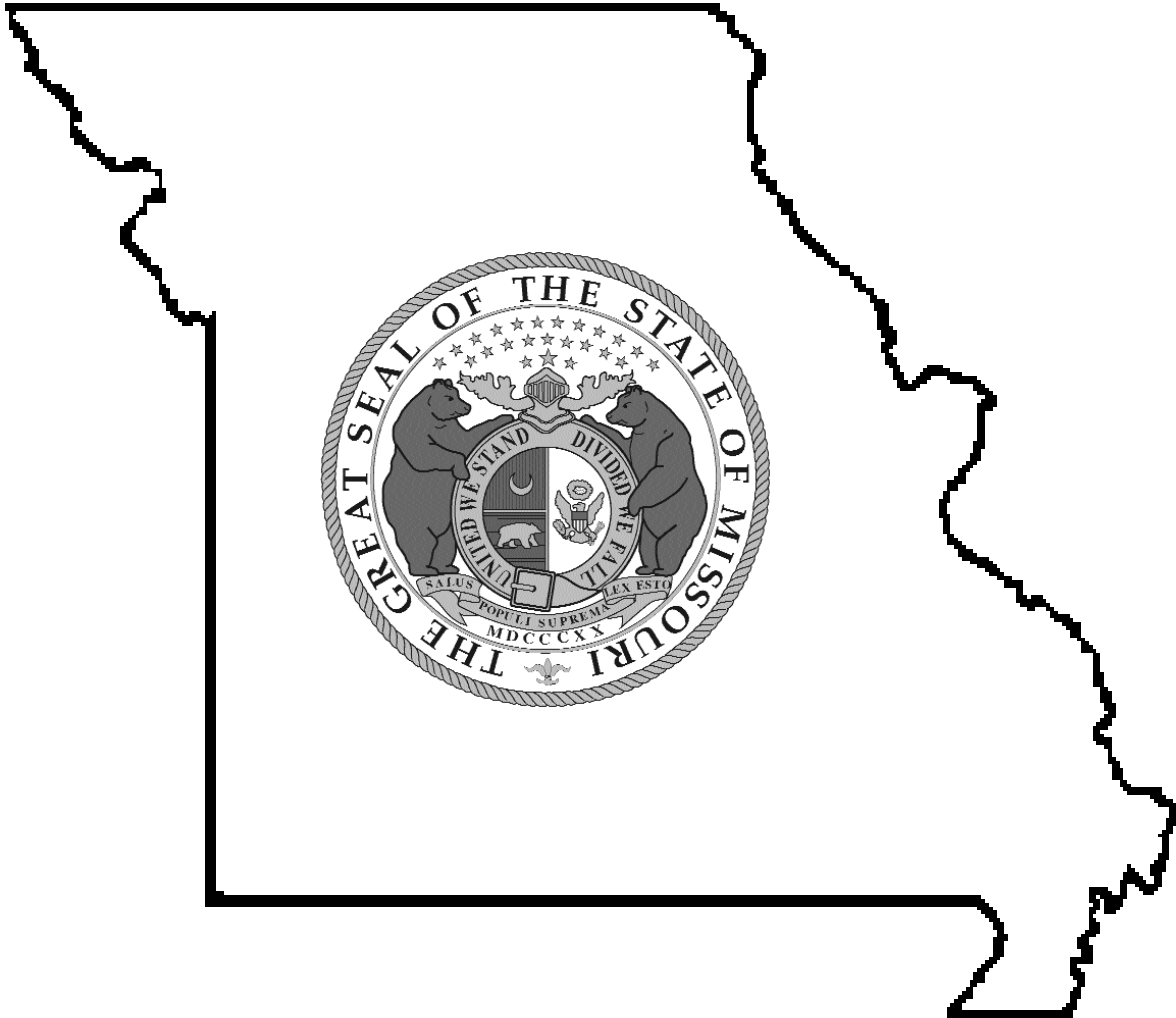
appeals from the local board of equalization; 12 CSR 30-3.010; 10/1/12, 1/15/13
appraisal evidence; 12 CSR 30-3.065; 10/1/12, 1/15/13
utility property to be assessed locally and by the state tax commission; 12 CSR 30-2.015; 10/1/12, 1/15/13

VETERINARY MEDICAL BOARD, MISSOURI

minimum standards for continuing education; 20 CSR 2270-4.042; 2/15/13
reciprocity
20 CSR 2270-2.060; 2/15/13
20 CSR 2270-3.030; 2/15/13
temporary courtesy license; 20 CSR 2270-2.072; 11/1/12, 2/1/13

RULEMAKING 1-2-3

DRAFTING AND STYLE MANUAL



JASON KANDER
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The new transmittal form and certification letter have been updated to include the name of Secretary of State Jason Kander.

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